



**Eastside Union**  
S C H O O L D I S T R I C T

**Annual Notification  
of the Rights and Responsibilities  
of Students and Parents**

***2024-2025***

## FROM THE SUPERINTENDENT

Dear Students, Parents and Guardians,

State Law requires Eastside Union School District (EUSD) to provide annual notification to students, parents and guardians of their rights and responsibilities pertaining to their child's education. Please read this Annual Notification. The parent or guardian is required to acknowledge their receipt of this notice of the location of the rights by signing and returning the signature page to the school, or indicating receipt during the data confirmation process at the beginning of each school year. The parent's or guardian's signature is an acknowledgment that they have been informed of their rights and does not indicate the parent's or guardian's consent for their child to participate or not participate in any particular program listed within the Annual Notification.

Some legislation requires additional notification to the parents or guardians during the school term prior to a specific activity. (A separate letter will be sent to the parents or guardians prior to any of these specified activities or classes, and the student will be excused whenever the parents or guardians file with the principal of the school a statement in writing requesting that their child not participate.) Other legislation grants certain rights that are to be spelled out in this Annual Notification.

EUSD and its Board recognize that parent or guardian involvement in their child's education promotes student achievement and contributes greatly to the student's success. This Annual Notification contains information on the various ways parental involvement is both permitted and encouraged by federal and state laws, as well as EUSD's policies. EUSD commits to providing a quality education to all of its students in a safe and healthy environment. EUSD looks forward to a successful and positive school year, made possible by the dedicated efforts of its administrators, teachers, paraeducators, support staff, students, and parents and guardians.

Please read this Annual Notification carefully and return the signed form to your student's school or EUSD as soon as possible, if you have not already done so through the data confirmation process at the beginning of the school year.

Sincerely,

Dr. Jezelle Fullwood  
Superintendent  
Eastside Union School District

*The Eastside Union School District is committed to providing equal opportunity for all individuals in district programs and activities. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on the person's actual race, color, ancestry, nationality, national origin, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, genetic information, medical condition, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.*

*For any questions, concerns, or to file a complaint regarding discrimination, harassment, intimidation, bullying, or Title IX, please contact: Assistant Superintendent, Administrative Services, Daryl Bell, DBell@eastsideusd.org, 44938 30th Street East, Lancaster, California, 661-952-1200 and/or visit the Eastside Union School District's webpage at [www.eastsideusd.org](http://www.eastsideusd.org).*

## TABLE OF CONTENTS

|  |           |  |           |
|--|-----------|--|-----------|
| <b>From the Superintendent.....</b>                              | <b>2</b>  | Intradistrict Choice .....                               | 24        |
| <b>Key to Acronyms.....</b>                                      | <b>4</b>  | Interdistrict Attendance.....                            | 25        |
| <b>Parent Involvement .....</b>                                  | <b>5</b>  | District of Choice .....                                 | 25        |
| Basic Rights of Parents.....                                     | 5         | Independent Study .....                                  | 25        |
| Custody Issues .....   | 5         | Instruction for Pupils with Temporary Disabilities.....  | 26        |
| Open Meetings: Public Comments: Translation .....                | 5         | Notice of Alternative Schools .....                      | 26        |
| Parent Engagement – School Accountability .....                  | 6         | Victim of a Violent Crime.....                           | 27        |
| Parent Participation in School Meetings and<br>Conferences ..... | 7         | <b>School Attendance.....</b>                            | <b>27</b> |
| Peachjar .....   | 7         | Avoiding Absences, Written Excuses .....                 | 27        |
| Requirement of Parent School Attendance .....                    | 7         | Chronic Absenteeism.....                                 | 27        |
| School Accountability Report Card .....                          | 7         | Excused Absences.....                                    | 27        |
| Visitation Policy .....  | 8         | Minimum & Pupil-free Staff Development Days .....        | 28        |
| <b>Equity &amp; Access .....</b>                                 | <b>8</b>  | Tardiness.....   | 29        |
| Child Find System.....   | 8         | Truancy Definitions.....                                 | 29        |
| Competitive Athletics .....                                      | 8         | Truants: Arrests/School Attendance Review<br>Boards..... | 29        |
| Community Eligibility Provision (CEP) .....                      | 8         | <b>Pupil Records .....</b>                               | <b>29</b> |
| Education for Foster Youth .....                                 | 8         | Directory Information.....                               | 30        |
| Education of Homeless Youth.....                                 | 10        | Protection of Pupil Rights Amendment.....                | 30        |
| Educational Equity: Immigration and Citizenship<br>Status .....  | 12        | Pupil Records .....                                      | 31        |
| Nondiscrimination in District Programs and<br>Activities .....   | 13        | Social Security Number .....                             | 33        |
| Nondiscrimination/Harassment .....                               | 13        | California College Guidance Initiative.....              | 33        |
| Safe Place to Learn Act .....                                    | 14        | <b>Health &amp; Wellness .....</b>                       | <b>33</b> |
| Section 504 .....  | 15        | Asbestos Management Plan .....                           | 33        |
| Sexual Harassment .....  | 15        | Concussion and Head Injuries .....                       | 34        |
| Title IX.....  | 17        | Confidential Medical Services .....                      | 34        |
| Uniform Complaint Policy and Procedure .....                     | 17        | Controlled Substances: Opioids.....                      | 34        |
| Williams Complaint Policy & Procedure .....                      | 20        | Emergency Treatment for Anaphylaxis.....                 | 34        |
| Professional Qualifications .....                                | 20        | Health Screenings.....                                   | 34        |
| <b>Instructional &amp; Support Programs .....</b>                | <b>20</b> | Health Screening (Entrance).....                         | 35        |
| Availability of Prospectus .....                                 | 20        | Immunizations .....                                      | 35        |
| Before and After School Programs .....                           | 20        | HPV Immunization .....                                   | 36        |
| California Healthy Youth Act.....                                | 20        | Medical or Hospital Service.....                         | 36        |
| Career Counseling & Course Selection .....                       | 21        | Medication Regimen .....                                 | 36        |
| Harm or Destruction of Animals.....                              | 21        | Oral Health Assessment .....                             | 37        |
| Language Acquisition Program .....                               | 21        | Pesticide Products .....                                 | 37        |
| Statewide Assessments .....                                      | 22        | Sudden Cardiac Arrest .....                              | 37        |
| <b>School Enrollment .....</b>                                   | <b>23</b> | Suicide Prevention Awareness and Training.....           | 38        |
| Residency Requirements for School Attendance.....                | 23        | Tobacco-free Campus .....                                | 38        |
|  |           | Dangers of Synthetic Drugs .....                         | 38        |
|  |           | Type 1 Diabetes .....                                    | 39        |

|   |           |   |           |
|---|-----------|---|-----------|
| Type 2 Diabetes .....                                 | 40        | Civility on School Grounds.....                         | 48        |
| <b>Behavior Expectations &amp; Discipline .....</b>   | <b>41</b> | Dangerous Objects .....                                 | 48        |
| School Rules.....                                     | 41        | Disaster Preparedness Educational Materials .....       | 48        |
| Acceptable Use of Technology.....                     | 42        | Electronic Listening or Recording Device .....          | 49        |
| Electronic Signaling Devices .....                    | 42        | Employee Interaction with Students/Code of Ethics ..... | 49        |
| Electronic Nicotine Delivery Systems (e-cigarettes) . | 42        | Gun-Free School Zone Act .....                          | 50        |
| Jurisdiction.....                                     | 42        | Safe Storage of Firearms.....                           | 50        |
| Property Damage.....                                  | 42        | School Bus Safety.....                                  | 50        |
| Pupil Searches.....                                   | 43        | School Safety Plan .....                                | 51        |
| Suspension and Expulsion .....                        | 43        | Sex Offenders/Megan’s Law .....                         | 51        |
| <b>School Safety.....</b>                             | <b>48</b> | Surveillance System .....                               | 51        |
| Bullying .....  | 48        | Walking or Riding a Bike to School .....                | 51        |
| Child Abuse and Neglect Reporting.....                | 48        | <b>Acknowledgement of Receipt and Review .....</b>      | <b>52</b> |

## KEY TO ACRONYMS

|      |  |
|------|--|
| AR   | Administrative Regulation                |
| BP   | Board Policy                             |
| BPC  | California Business and Professions Code |
| CC   | California Civil Code                    |
| CCR  | California Code of Regulations           |
| CDE  | California Department of Education       |
| CFR  | Code of Federal Regulations              |
| EC   | California Education Code                |
| EUSD | Eastside Union School District           |
| GC   | California Government Code               |
| HSC  | California Health and Safety Code        |
| IEP  | Individualized Education Program         |
| LC   | California Labor Code                    |
| LCAP | Local Control and Accountability Plan    |
| PC   | California Penal Code                    |
| USC  | United States Code                       |
| VC   | California Vehicle Code                  |
| WIC  | California Welfare and Institutions Code |

## PARENT INVOLVEMENT

### **BASIC RIGHTS OF PARENTS**

*EC 51101 (in part)*

The parents of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed by the school, and to participate in the education of their children, as follows:

1. Within a reasonable period of time after making the request, to observe their child's classroom(s).
2. Within a reasonable time of their request, to meet with their child's teacher(s) and the principal.
3. To volunteer their time and resources for the improvement of school facilities and school programs under the supervision of district employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision of the teacher.
4. To be notified on a timely basis if their child is absent from school without permission.
5. To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of their child's school on standardized statewide tests.
6. To request a particular school for their child, and to receive a response from the school district.
7. To have a school environment for their child that is safe and supportive of learning.
8. To examine the curriculum materials of their child's class(es).
9. To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child.
10. To have access to the school records of their child.
11. To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
12. To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
13. To receive information about any psychological testing the school does involving their child and to deny permission to give the test.
14. To participate as a member of a parent advisory committee, school site council, or site-based management leadership team.
15. To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.
16. To be notified, as early in the school year as practicable, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child.

### **CUSTODY ISSUES**

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to their child and/or school records. The only exception is when signed restraining orders or proper divorce papers, specifically stating visitation limitations, are on file in the school office. Any pupil release situation which leaves the pupil's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted, and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

### **OPEN MEETINGS: PUBLIC COMMENTS: TRANSLATION**

*GC 54954.3*

The public is invited to attend regular meetings of the Eastside Union School District Board of Trustees at 5:30 p.m. on the first and third Wednesday of each month in the Board Room. The Board of Trustees holds the closed session portion of the meeting at 5:00 p.m. in the Board Conference Room.

### Access to Virtual Meetings

In order to view the meetings please click on the link on the day and time of the meeting:

[https://rebrand.ly/EUSD\\_Board](https://rebrand.ly/EUSD_Board)

Individuals who require special accommodation (American Sign Language interpreter, accessible seating, documentation in accessible formats, etc.) should contact the Superintendent's office at least two days before the meeting date.

If translation is needed, the speaker will be offered twice the amount of time to speak.

### **PARENT ENGAGEMENT – SCHOOL ACCOUNTABILITY**

*20 USC 6318, EC 11500, 11501, 11502, 11503*

The Board of Trustees recognizes that parents are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with parents and family members to jointly develop and agree upon policy and strategies to meaningfully involve parents and family members in district and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.

Parents shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

The district's local control and accountability plan (LCAP) shall include goals and strategies for parent involvement and family engagement, including district efforts to seek parent input in district and school site decision making and to promote parent participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities.

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent and family engagement efforts, including, but not limited to, input from parents, family members, and school staff on the adequacy of involvement opportunities and on barriers that may inhibit participation.

### Title I Schools

The Superintendent or designee shall involve parents and family members in establishing district expectations and objectives for meaningful parent and family engagement in schools supported by Title I funding, developing strategies that describe how the district will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents and family members.

When the district's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent and family engagement activities and shall distribute at least 90 percent of those reserved funds to eligible schools, with priority given to high-need schools as defined in 20 USC 6631. The Superintendent or designee shall involve parents and family members of participating students in decisions regarding how the district's Title I funds will be allotted for parent and family engagement activities.

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following:

1. Support for schools and nonprofit organizations in providing professional development for district and school staff regarding parent and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.
2. Support for programs that reach parents and family members at home, in the community, and at school.
3. Dissemination of information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members
4. Collaboration, or the provision of subgrants to schools to enable collaboration, with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement.
5. Any other activities and strategies that the district determines are appropriate and consistent with this policy.

If the district also receives funds under federal Title IV, Part E, to coordinate and enhance family engagement programs, the Superintendent or designee shall inform parents and organizations of the existence of Title IV.

The district's Board policy and administrative regulation containing parent and family engagement strategies shall be incorporated into the district's LCAP in accordance with 20 USC 6312.

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent and family engagement policy in accordance with 20 USC 6318.

District and school-level parent and family engagement policies and administrative regulations shall be distributed to parents of students participating in Title I programs and shall be available to the local community. Parents shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand.

To participate in the district offerings of parent education and to provide parental input to the local training programs for parents, please contact the following district representative for more information on how you may contribute: District Community Liaison at 661-952-1200 ext. 8236.

### **PARENT PARTICIPATION IN SCHOOL MEETINGS AND CONFERENCES**

#### *LC 230.8*

If the parent's employer has 25 or more employees, the parent must be allowed to attend school meetings and events for their children, up to a maximum of 40 hours each year without discrimination or fear of job loss as long as the parent gives reasonable notice to the employer of the planned absence. Purposes to attend child-related activities include: enrollment in school, child care or school emergency, behavior or discipline problem that requires immediate parent attention, sudden school closure, or natural disaster. ("Parent" means a parent, guardian, stepparent, foster parent, or grandparent of, or a person who stands in loco parentis to, a child.) If an employer discharges, threatens to discharge, demotes, suspends or otherwise discriminates against the parent, the employee may be entitled to reinstatement and reimbursement for lost income or benefits. See Labor Code 230.8 for more details.

### **PEACHJAR**

Eastside Union School District uses an electronic flyer communication tool called "Peachjar" to provide parents and legal guardians access to school-approved digital flyers. This "green" initiative saves our schools tons of paper and reduces copy costs by thousands of dollars. On top of that, posting school flyers in this "electronic backpack" removes a significant administrative burden from teachers, office staff, and volunteers. You may access the website at [www.peachjar.com](http://www.peachjar.com). This system is used exclusively for distribution of school-approved flyers. You may "Opt-Out" by submitting a written request to your pupil's school that your email not be used for Peachjar flyer distributions.

### **REQUIREMENT OF PARENT SCHOOL ATTENDANCE**

#### *EC 48900.1*

Teachers may require the parent of a pupil who has been suspended for an act described under EC 48900(i) or (k) by a teacher to attend a portion of that school day in their pupil's classroom. The attendance of the parent will be limited to the class from which the pupil was suspended. A written notice will be sent to the parent regarding the implementation of this requirement. Employers are not allowed to apply sanctions against the parent for this requirement if the parent has given reasonable notice to their employer.

### **SCHOOL ACCOUNTABILITY REPORT CARD**

#### *EC 35256, 35258*

The School Accountability Report Card will be available on the Eastside Union School District Website by February 1, for the previous school year. Please contact your administrator to obtain a printed copy.

## **VISITATION POLICY**

*EC 49091.10, EC 51101(a)(12)*

It is important for parents/guardians and community members to take an active interest in the issues affecting district schools and pupils. Interested parents/guardians and community members are encouraged to visit the schools and participate in the educational program. To ensure the safety of pupils and staff and minimize interruption of the instructional program. Visits during school hours should be arranged with the principal or designee 24 hours in advance of the visit and made during a time when the least disruption will occur. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during non-instructional time. Visits should be limited to no more than 30 minutes per visit.

## **EQUITY & ACCESS**

### **CHILD FIND SYSTEM**

*EC 56301; 20 USC 1412(a)(3); 34 CFR 300.111*

Parents who suspect that their child has a mental, physical or learning disability are advised to contact their local school district, local school, or the Antelope Valley Special Education Local Plan Area (AV SELPA). Federal and state laws require public schools to provide free and appropriate education for children with disabilities which include children that are identified as homeless, migrant or foster, ages 3 through 21 years. Children may qualify for special education programs administered by their school district. Special Education staff will help parents identify appropriate programs, if their child is eligible for services. For more information about special education services for children ages 3 through 21, please contact your child's administrator or the district's special education department at 661-952-1224.

### **COMPETITIVE ATHLETICS**

*EC 221.9*

Eastside Union School District offers competitive athletics. At the end of the school year, any community member, including parents, can obtain the following information from the school offering the competitive athletics:

1. Total enrollment of the school, classified by gender
2. The number of pupils enrolled at the school who participate in competitive athletics, classified by gender.
3. The number of boys' and girls' teams, classified by sport and by competition level.

This information will be posted on the school's website.

### **COMMUNITY ELIGIBILITY PROVISION (CEP)**

*EC 49564*

Eastside Union School District will continue to implement the Community Eligibility Provision (CEP). CEP is a non-pricing meal service option for schools and school districts in low-income areas. CEP allows the nation's highest poverty schools and districts to serve breakfast and lunch at no cost to all enrolled pupils without collecting household applications. Instead, all enrolled students to the district must complete an income eligibility form.-Schools that adopt CEP are reimbursed using a formula based on the percentage of pupils categorically eligible for free meals based on their participation in other specific means-tested programs, such as the Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF).

This means that all pupils enrolled in Eastside Union School District will receive a healthy breakfast and lunch at school at no charge to any parent or pupil during the 2024-25 school year.

### **EDUCATION FOR FOSTER YOUTH**

*EC 48204, 48853, 48853.5, 51215.1, 51225.2*

The information provided below is from the standardized notice of foster youth rights from the California Department of Education. Some of the information is applicable only to pupils in grades 9-12.

#### 1. RIGHT TO REMAIN IN YOUR SCHOOL OF ORIGIN

- You have the right to stay in the same school after you move to a new foster care placement. Your “school of origin” can be:
  - The school you attended when you first entered foster care,
  - The school you most recently attended, or
  - Any school you attended in the last 15 months that you feel connected to.
- Your school district must work with you, your education rights holder,\* your caregiver, and your social worker/ probation officer to develop a plan to transport you to your school of origin. A Best Interest Determination (BID) meeting may be held to determine the school placement in the best interest of the student.
- If you are transitioning from elementary school to middle school or from middle school to high school, you have the right to transition to the same school as your classmates.
- If there is any disagreement about which school you will attend, you have the right to stay in your school of origin until the disagreement is resolved.

#### 2. RIGHT TO IMMEDIATE ENROLLMENT IN SCHOOL

- You have the right to immediately enroll in your regular home school after you move placements.
- You cannot be forced to attend a continuation school or other alternative education program, such as independent study, even if you are behind in credits or have discipline problems at school.
- You have a right to immediately enroll in school and begin attending classes, even if you do not have the paperwork you would normally need for enrollment (such as birth certificate, transcript, or IEP) or you did not check-out from your previous school.
- Your previous school must send your education records to your new school after you enroll.
- You have the right to participate in any activities available at your new school, such as sports teams, tutoring, or after-school clubs, even if you miss a tryout or sign-up deadline.

#### 3. RIGHT TO PARTIAL CREDITS FOR HIGH SCHOOL PUPILS

- If you change schools during the school year, you have a right to partial credits in all classes that you are passing when you leave your old school, even if you do not complete the entire class.
- After you change schools, your new school must accept the partial credits issued by your old school.
- After you change schools, you have the right to be enrolled in the same or similar classes you were enrolled in at your last school.
- You cannot be forced to retake a class or part of a class that you have already completed with a passing grade, if it would make you off-track for high school graduation.
- You have the right to take or retake any class that you need to go to a California State University or University of California.
- Your grade cannot be lowered because you were absent from school for a court hearing, placement change, or a court-related activity

#### 4. GRADUATION RIGHTS

- If you are behind on your credits, and you transferred schools after your 2<sup>nd</sup> year of high school, you may be eligible to graduate under AB 167/216 by completing only the state graduation requirements (130 credits in specific classes) instead of your school district’s requirements.
- Your school must inform you of your right to this option within 30 days of your school transfer, including consulting with you and your ERH about your options. If you do not qualify when you transfer, the school must reassess whether you qualify within the first 30 days of the next school year. You can also request a reassessment at any time and the school must complete it within 30 days.
- You have the right to stay in high school for a fifth year to complete your school district graduation requirements, or the state graduation requirements, even if you are over 18.
- If you are eligible (even if you were not originally eligible, your district failed to inform you when you were eligible, or you are now attending adult school), the decision of whether to graduate under AB 167/216, to defer the decision, or to change your mind before you graduate, is made by your education rights holder, or you if you are over 18.

#### 5. COLLEGE RIGHTS

- You have the right to have the application fee waived when you apply to a community college in California.

- You have the right to receive the maximum amount of federal pupil aid and you may be eligible for up to \$5,000 per year from the Chafee scholarship.

*Note:* College rights do not apply to 602 probation youth living at home with their parents.

#### 6. SCHOOL DISCIPLINE RIGHTS

- You cannot be suspended for more than 5 school days in a row or for more than 20 days in a school year.
- You have a right to be told why you are being suspended and the right to provide your version of events and evidence before you are suspended, unless there is an emergency. If the behavior for which you are being suspended could subject you to criminal charges, you should consult with your education rights holder or attorney before providing an oral or written statement to the school or police.
- Upon suspension, your social worker (or tribal social worker, if applicable), attorney, and educational rights holder will be notified of the suspension in writing.
- Your attorney and social worker must be invited to a meeting before your suspension can be extended beyond 5 days and a suspension can only be extended if you are being considered for expulsion.
- You have a right to a formal hearing, and to be represented by an attorney at that hearing, before you are expelled.
- If you are facing a possible expulsion, your educational rights holder, attorney and social worker must be notified. If you are in special education, they must be invited to a meeting to decide whether your behavior was related to your disability.

#### 7. RIGHT TO YOUR SCHOOL RECORDS

- You have the right to access your school records if you are 16 years or older or have finished 10th grade.
- Your social worker/probation officer and education rights holder can access your school records as well.
- Your caregiver can access your current school records.

#### 8. NON-EDUCATION RIGHTS

- As a foster youth, you also have other rights that are not related to school, such as the right to see a doctor or to have private storage space. For more information, please see the Foster Youth Bill of Rights at <https://fosteryouthhelp.ca.gov/>

*\* Educational Rights Holders: Every foster youth under age 18 must have an education rights holder, who is required to make educational decisions in the youth's best interest. Foster youth who are 18 or older have the right to make their own education decisions. Your education rights holder may be your parent or legal guardian, your caregiver, or another person chosen by the court. Your education rights holder cannot be your social worker or probation officer, your attorney, or group home or school staff members. It is important to know who your education rights holder is. If you need information about who your education rights holder is, you can contact your social worker or attorney.*

A copy of the standardized notice can be obtained by clicking the following link:

<https://www.cde.ca.gov/ls/pf/fy/fyedrights.asp>.

If you believe your educational rights have been violated, you may file a complaint. The school has 60 days to investigate and give you a written response. Please refer to our Uniform Complaint Process (UCP). Foster Youth Liaison is Shannon Birden at (661) 952-1292.

### **EDUCATION OF HOMELESS YOUTH**

*42 USC 11432, EC 48853, 51225.1, 51225.2*

All school-aged children experiencing homelessness are entitled to the same free and appropriate public education that is provided to non-homeless pupils. Schools are required to remove barriers to the enrollment, attendance, and academic success of pupils experiencing homelessness.

#### Federal Definition of Homeless

A pupil between the ages of 0 and 22\*, who lacks a fixed, regular, and adequate nighttime residence, and includes a child who:

1. Has a primary nighttime residence that is a shelter designated to provide temporary living accommodations such as shelters, motels/hotels, domestic violence shelters, and transitional housing.
2. Lives in a car, park, abandoned building, public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings.

3. Lives temporarily in a trailer park or camping area due to the lack of adequate living accommodations.
4. Lives "doubled-up" with another family, due to loss of housing, stemming from financial problems.
5. Is abandoned at a hospital.
6. Resides in a home for school-aged, unwed mother or mother-to-be, if there are no other available living accommodations.
7. Is placed by the state in an emergency shelter due to lack of alternative housing.
8. Is an abandoned, runaway or pushed out youth or migratory child living in any of the circumstances described above.

\*Extended beyond compulsory attendance age to address the needs of preschool, early head-start, and pupil with special education needs.

#### School Selection/Pupil Rights

1. Pupils experiencing homelessness can attend the school in the area where the family is temporarily residing or the school of origin, which can be any of the following:
  - The school that the pupil attended when permanently housed
  - The last school of enrollment
  - A school that the pupil attended within the last 15 months
2. Pupils can remain at the school of origin throughout the duration of homelessness.
3. If the family gains permanent housing, the pupil can remain at the current school of attendance for the duration of that academic year.
4. Pupils experiencing homelessness who are attending their school of origin are permitted to matriculate with their peers, following the usual feeder pattern of the school, if it is in the best interest of the pupil.
5. Pupils experiencing homelessness have the right to education and other services (*i.e.*, participate fully in all school activities and programs for which they are eligible, qualify for nutrition programs, receive transportation services).

#### Enrollment

Schools must immediately enroll pupils experiencing homelessness even if they have outstanding fees, fines, textbooks, or other items or moneys due to the last school of enrollment, or if they are unable to produce clothing or records normally required for enrollment, such as:

- Academic Records
- Proof of Residence
- Medical Records
- Immunization Records

The law requires the immediate enrollment of pupils experiencing homelessness, which is defined as "attending class and participating fully in school activities". It is the responsibility of the district homeless liaison to refer parents to all programs and services for which the pupil is eligible. Referrals may include, but is not limited to: free nutrition, special education services, tutoring, English Language Learners programs, Gifted and Talented Education program, preschool, before and after school services, or any other program offered by the school or district. The district shall ensure that transportation is provided, at the request of the parent/unaccompanied homeless youth, to and from the school of origin, if feasible.

Pupil experiencing homelessness also have priority access to an intersession program. If the pupil moves during the intersession period, the student's educational rights holder will determine which intersession program to attend.

#### Identification & Supports

The following person is designated as a liaison for homeless children and youth, ensuring that children experiencing homelessness are identified, enrolled, and receive equitable access to high-quality education and support services: Homeless Liaison is Shannon Birden at 661-952-1292. To ensure that each school identifies all homeless and unaccompanied youths enrolled at the school, a housing questionnaire is administered at least once a year. The questionnaire can be made available in the primary language of the student's parent or unaccompanied youth upon request. Notice of the educational rights of homeless youth and resources available to persons experiencing homelessness, as well as the name and contact information of the educational liaison for homeless youth, are posted on the district and school websites. The notice of education rights is also posted in the district and school offices.

If you believe your educational rights have been violated, you may file a complaint. The school has 60 days to investigate and give you a written response. Please refer to our Uniform Complaint Process (UCP).

## **EDUCATIONAL EQUITY: IMMIGRATION AND CITIZENSHIP STATUS**

### *EC 234.7*

All pupils, regardless of their immigration status or religious beliefs, have the right to a free public education. As such, the District is prohibited from collecting information or documents regarding citizenship or immigration status of pupils or their family members unless required to administer a state or federal program. The District also prohibits discrimination, harassment, intimidation, and bullying based on those actual or perceived immigration status and shall receive and investigate related complaints in accordance with its Uniform Complaint Procedures. The superintendent shall report to the Board of Trustees in a timely manner any requests for information or access to the school site by an officer or employee or a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information. When an employee is aware that a pupil's parent is not available to care for the pupil, the school shall attempt to work with parents to update the emergency contact information and not contact Child Protective Services to arrange for the pupil's care unless the school is unable to arrange for care through the use of emergency contact information or other information or instructions provided by the pupil's parent. The following "know your rights" information regarding immigration-enforcement actions is provided by the California Attorney General.

### Know Your Educational Rights

#### *Your Child has the Right to a Free Public Education*

- All children have a right to equal access to free public education, regardless of their or their parents' immigration status.
- All children in California:
  - Have the right to a free public education.
  - Must be enrolled in school if they are between 6 and 18 years old.
  - Have the right to attend safe, secure, and peaceful schools.
  - Have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
  - Have equal opportunity to participate in any program or activity offered by the school without discrimination.

#### *Information Required for School Enrollment*

- Schools must accept a variety of documents from the pupil's parent to demonstrate proof of child's age or residency.
- Information about citizenship/immigration status is never needed for school enrollment. A Social Security number is never needed for school enrollment.

#### *Confidentiality of Personal Information*

- Federal and state laws protect pupil education records and personal information. These laws generally require that schools get written consent from parents before releasing pupil information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic pupil "directory information." If so, the school district must provide parents with written notice of the directory information policy and provide the option to refuse release of your child's information.

#### *Family Safety Plans if You Are Detained or Deported*

- You can update your child's emergency contact information, including secondary contacts, to identify a trusted adult guardian who can care for your child if you are detained or deported.
- You can complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person to give a trusted adult the authority to make educational and medical decisions for your child.

#### *Right to File a Complaint*

- Your child has the right to report a hate crime or file a complaint to the school district if they are discriminated against, harassed, intimidated or bullied because of their actual or perceived nationality, ethnicity, or immigration status.

## Checklist for Immigrant Pupils and Families Attending Public Schools

*You do not have to share the following information with school officials:*

- You do not have to share information, including passports or visas, regarding the immigration status of pupils, parents, guardians, or other family members.
- You do not have to provide Social Security numbers (SSN) or cards.
  - When completing the “Free and Reduced-Price Meals” form, only provide the last four digits of the SSN of the adult household member who signs the application.
  - If the family meets the income eligibility requirements and no adult household member has a SSN, your child still qualifies. Check the “No SSN” box on forms where applicable, to ensure that applications are complete.
  - If any household member participates in CalFresh, CalWORKs (California Work Opportunity and Responsibility for Kids), or FDPIR (Food Distribution Program on Indian Reservations), no adult household member needs to provide the last four digits of their SSN to qualify the pupil for free or reduced-price meals at school.
- When providing information for proof of a pupil’s residency or age, you do not have to use documents that could reveal information related to immigration status.

*Take steps to protect pupil information:*

- Ask for the school’s written privacy policies regarding pupil information.
- Review the school’s policy for “directory information”—which allows for public release of basic pupil information—and consider whether to opt out of releasing of that information.

*Take steps to prepare for situations where one or more parents or guardians are detained or deported:*

- Develop and keep in a safe place a “Family Safety Plan” that includes the following information:
- Name of a trusted adult to care for your child if no parent can.
- Emergency phone numbers and instructions on where to find important documents (birth certificates, passports, Social Security cards, doctor contact information, etc.).
- Make sure that your child’s school always has current emergency contact information, including alternative contacts if no parent is available.

For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact: Bureau of Children’s Justice, California Attorney General’s Office, P.O. Box 944255, Sacramento, CA 94244-2550, (800) 952-5225, [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov), <https://oag.ca.gov/bcj/complaint>.

## **NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES**

*5 CCR 4900-4965; EC 200 et seq.*

The Eastside Union School District is committed to providing equal opportunity for all individuals in district programs and activities. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on the person’s actual race, color, ancestry, nationality, national origin, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, genetic information, medical condition, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

All individuals shall be treated equitably in the receipt of district and school services. The District assures that lack of English language skills will not be a barrier to admission or participation in District programs. District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. The Superintendent or designee shall ensure that the District provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. Complaints of unlawful discrimination, are investigated through the Uniform Complaint Process. For a complaint form or additional information, contact: Assistant Superintendent of Human Resources at 661-952-1200.

## **NONDISCRIMINATION/HARASSMENT**

*200-262.4*

The Board of Trustees desires to provide a safe school environment that allows all students equal access to and opportunities in the District’s academic, extracurricular, and other educational support programs, services, and

activities. As such, the District's nondiscrimination/harassment policy applies to all acts constituting unlawful discrimination or harassment related to school activity or school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school. Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation will be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in EC 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, will be subject to disciplinary action, up to and including dismissal.

The Board prohibits unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; or association with a person or group with one or more of these actual or perceived characteristics. Unlawful discrimination:

- May result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above.
- Occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.
- Includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, will be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students. The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints are investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee facilitates students' access to the educational program by publicizing the District's non-discrimination policy and related complaint procedures to students, parents, and employees. In addition, the District's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information are posted on the District's website in a manner that is easily accessible to parents and students, in accordance with law and the accompanying administrative regulation.

A record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, is maintained to enable the District to monitor, address, and prevent repetitive prohibited behavior in district schools. The implementation of the District's nondiscrimination policies and practices is also regularly reviewed and, as necessary, actions are taken to remove any identified barrier to student access to or participation in the District's educational program. After each review, findings and recommendations are reported to the Board.

### **SAFE PLACE TO LEARN ACT**

#### *EC 234 and 234.1*

The Eastside Union School District is committed to maintaining a learning environment that is free from discrimination, harassment, violence, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code, including immigration status, and EC 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any pupil who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to school activity

or school attendance occurring within a school of the school district may be subject to disciplinary action up to and including expulsion. To report an incident and/or to receive a copy of the district's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies, please contact the Assistant Superintendent of Administrative Services at 661-952-1200.

EUSD policies prohibit discriminatory harassment or bullying of pupils on the basis of sex, race/color/national origin, and disability. A full copy of the Board Policies are located on our website at [EUSD Board Policy: Nondiscrimination/Harassment](#) and [EUSD Board Policy: Bullying](#).

#### **SECTION 504**

*29 USC 794, 34 CFR 104.32*

Section 504 of the Rehabilitation Act of 1973 is a federal law which prohibits discrimination against persons with a disability. The School District provides a free and appropriate public education to all pupils regardless of the nature or severity of their disability. The District has a responsibility to identify, evaluate, and if eligible, provide pupils with disabilities the same opportunity to benefit from education programs, services, or activities as provided to their non-disabled peers. To qualify for Section 504 protections, the pupil must have a mental or physical impairment which substantially limits one or more major life activities. For additional information about the rights of parents of eligible pupils, or questions regarding the identification, evaluation, and eligibility of Section 504 protections, please contact the assistant principal at your child's school or the Coordinator of Student Services at 661-952-1224.

#### **SEXUAL HARASSMENT**

*5 CCR 4917; 34 CFR 106.30; EC 212.5, 231.5, 48900.2*

The Board of Trustees is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee. When a verbal or informal report of sexual harassment is submitted, the Title IX Coordinator shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with applicable district complaint procedures. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator. The report shall be made regardless of whether the alleged victim files a formal complaint or requests confidentiality. The following individual has been designated as the Title IX Coordinator: Daryl Bell, Assistant Superintendent of Administrative Services at 44938 30<sup>th</sup> Street East, Lancaster, California 93535, 661-952-1200 Ext. 8221, [dbell@eastsideusd.org](mailto:dbell@eastsideusd.org).

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 5145.71 - Title IX Sexual Harassment Complaint Procedures or BP/AR 1312.3 - Uniform Complaint Procedures, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances. If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.

The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and staff handbooks. All district staff shall be trained regarding the policy.

### Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even when the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

### Examples of Sexual Harassment

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment under state and/or federal law, in accordance with the definitions above, include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading Sexual Rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Electronic communications containing comments, words, or images described above

### Disciplinary Actions

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

### Record-Keeping

In accordance with law and district policies and regulations, the Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

## **TITLE IX**

*EC 221.61, EC 221.8*

Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in educational programs and activities that receive federal funding. Specifically, Title IX protects male and female pupils and employees, as well as transgender pupils and pupils who do not conform to sex stereotypes, against discrimination based on sex, including sexual harassment. California law also prohibits discrimination based on gender, gender expression, gender identity, and sexual orientation. Under Title IX, pupils may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting pupils may not be excluded from participating in any educational program, including extracurricular activities, for which they qualify.

- (a) You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.
- (b) You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
- (c) You have the right to inquire of the athletic director of your school as to the athletic opportunities offered by the school.
- (d) You have the right to apply for athletic scholarships.
- (e) You have the right to receive equitable treatment and benefits in the provision of all of the following:
  - (1) Equipment and supplies.
  - (2) Scheduling of games and practices.
  - (3) Transportation and daily allowances.
  - (4) Access to tutoring.
  - (5) Coaching.
  - (6) Locker rooms.
  - (7) Practice and competitive facilities.
  - (8) Medical and training facilities and services.
  - (9) Publicity.
- (f) You have the right to have access to a gender equity coordinator to answer questions regarding gender equity laws.
- (g) You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws.
- (h) You have the right to file a confidential discrimination complaint with the United States Office of Civil Rights or the State Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
- (i) You have the right to pursue civil remedies if you have been discriminated against.
- (j) You have the right to be protected against retaliation if you file a discrimination complaint.

For more information about Title IX, or how to file a complaint of noncompliance with Title IX, contact: Assistant Superintendent of Administrative Services, Daryl Bell, [DBell@eastsideusd.org](mailto:DBell@eastsideusd.org), 44938 30<sup>th</sup> Street East, Lancaster, California, 661-952-1200 and/or visit the Eastside Union School District's webpage at [www.eastsideusd.org](http://www.eastsideusd.org).

## **UNIFORM COMPLAINT POLICY AND PROCEDURE**

*5 CCR 4600 et seq., EC 33315*

Eastside Union School District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations, including those related to unlawful discrimination, harassment, intimidation, or bullying against any protected group, and all programs and activities that are subject to the Uniform Complaint Procedures (UCP). The UCP is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations and the procedures in which the District will follow to investigate and resolve complaints regarding the programs and activities listed under "Scope".

### Filing Complaints

The signature on a complaint may be handwritten, typed (including in an email) or electronically-generated. A complaint filed on behalf of an individual student may only be filed by that student or that student's duly authorized representative.

### Scope

The UCP includes all subject matters as summarized below.

1. Accommodations for pregnant and parenting students
2. Adult education
3. After School Education and Safety
4. Agricultural career technical education
5. Career technical and technical education and career technical and technical training programs
6. Child care and development programs
7. Compensatory education
8. Consolidated categorical aid programs
9. Course periods without educational content
10. Discrimination, harassment, intimidation, or bullying against any protected group as identified under EC 200 and 220 and GC 11135, including any actual or perceived characteristic as set forth in PC 422.55, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in EC 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance
11. Educational and graduation requirements for students in foster care, students who are homeless, students from military families, students formerly in Juvenile Court now enrolled in a school district, students who are migratory, and newcomer students
12. Every Student Succeeds Act
13. Local control and accountability plans
14. Migrant education
15. Physical education instructional minutes
16. Reasonable accommodations to a lactating student
17. Regional occupational centers and programs
18. School plans for student achievement
19. Schoolsite councils
20. State preschool
21. State preschool health and safety issues in LEAs exempt from licensing
22. Student fees
23. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
24. Any other state or federal educational program the State Superintendent of Public Instruction or designee deems appropriate

The following complaints are not subject to the District's UCP but will be investigated and resolved by the specified agency or through an alternative process:

1. Child abuse or neglect. Referred to the County Department of Social Services, the County Protective Services Division, or the appropriate law enforcement agency.
2. Health and safety violations by a child development program, for licensed facilities. Referred to the Department of Social Services.
3. Title IX sexual harassment. Addressed through the federal Title IX complaint procedures specified in AR 5145.71 – Title IX Sexual Harassment Complaint Procedures.
4. Employment discrimination or harassment. Investigated and resolved by the District in accordance with the procedures specified in AR 4030 – Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

5. State or federal law or regulation related to special education. A settlement agreement related to the provision of a free appropriate public education, or a due process hearing order must be submitted to the CDE in accordance with AR 6159.1 – Procedural Safeguards and Complaints for Special Education.
6. The District’s food service program (*e.g.*, meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses). Filed with or referred to CDE in accordance with BP 3555 – Nutrition Program Compliance.
7. Discrimination based on race, color, national origin, sex, age, or disability in the District’s food service program. Filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 – Nutrition Program Compliance.
8. Sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. Investigated and resolved in accordance with AR 1312.4 – Williams Uniform Complaint Procedures.

#### Compliance Officer

The District has designated the following individual as the person responsible for coordinating the District’s response to complaints and for complying with state and federal civil rights laws: Daryl, Bell, Assistant Superintendent of Administrative Services at 44938 30<sup>th</sup> Street East, Lancaster, California 93535, 661-952-1200 Ext. 8221, [dbell@eastsideusd.org](mailto:dbell@eastsideusd.org).

#### Complaints

All complaints must be filed within one year from the date of the alleged violation, except for complaints of unlawful discrimination, harassment, intimidation or bullying, which must be filed within six months of the date of the alleged violation or the date the complainant first obtained knowledge of the facts of the alleged conduct. For complaints relating to Local Control and Accountability Plans (LCAP), the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by the LEA. A complaint regarding student fees or the LCAP may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

Once a complaint is received, the compliance officer, who is knowledgeable about the laws and programs subject to the complaint, will coordinate and initiate the investigation within 10 business days, and will prepare and send to the complainant the investigation report within 60 calendar days from the receipt of the complaint, unless the complainant agrees in writing to extend the timeline. If the LEA finds merit in a complaint, it must impose corrective actions, including for complaints involving pupil fees, courses of study, instructional minutes for physical education and local control and accountability plans, and a remedy to all affected pupils, parents and guardians.

#### Appeals

Appeals to the CDE must be filed within 30 days of the date of the LEA Investigative Report (previously 15 days). The CDE will not process an appeal if it is untimely or if it fails to include this information required by 4632(b) and (c). Complainants, when filing an appeal with the CDE, must specify and explain the basis for the appeal, including at least one of the following:

1. The LEA failed to follow its complaint procedures, and/or
2. Relative to the allegations of the complaint, the LEA Investigation Report lacks material findings of fact necessary to reach a conclusion of law, and/or
3. The material findings of fact in the LEA Investigation Report are not supported by substantial evidence, and/or
4. The legal conclusion in the LEA Investigation Report is inconsistent with the law, and/or
5. In a case in which the LEA found noncompliance, the corrective actions fail to provide a proper remedy.

If the CDE finds merit in an appeal, it must issue corrective actions as appropriate and including a remedy to the affected pupil, or in the case of complaints involving pupil fees, courses of study, instructional minutes for physical education and local control and accountability plans, a remedy to all affected pupils, parents and guardians.

Copies of the UCP process are available free of charge. Please contact the Student Services office at 661-952-1224 if you would like more information on how to file a complaint with the school or district, prior to appealing to the CDE. For more information you may go to the CDE website: <https://www.cde.ca.gov/re/cp/uc/>

## **WILLIAMS COMPLAINT POLICY & PROCEDURE**

*EC 35186*

Every school must provide sufficient textbooks and instructional materials. Every pupil, including English learners, must have textbooks or instructional materials, or both, to use at home or after school. School facilities must be clean, safe, and maintained in good repair. Each school serving grades 3 to 12 will stock, at all times, in all women's restrooms and all-gender restrooms, and in at least one men's restroom, with an adequate supply of free menstrual products, available and accessible. There should be no teacher vacancies or misassignments. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint form may be obtained at the District Office at 44938 30th Street East, Student Services Department. Parents, pupils, teachers or any member of the public may submit a complaint regarding these issues. However, it is highly encouraged that individuals express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns.

## **PROFESSIONAL QUALIFICATIONS**

*20 USC 6312*

Parents have the right to request information regarding the professional qualifications of the pupil's classroom teachers, including at a minimum, the following: (1) Whether the pupil's teacher (a) has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; (b) is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and (c) is teaching in the field of discipline of the certification of the teacher; and (2) Whether the child is provided services by paraprofessionals and, if so, their qualifications in a timely manner. Parents of pupils attending a school receiving Title I Part A funding will be notified in a timely manner if the pupil has been assigned, or has been taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned. ( )

## **INSTRUCTIONAL & SUPPORT PROGRAMS**

### **AVAILABILITY OF PROSPECTUS**

*EC 49063, 49091.14*

Each school must annually compile a prospectus of the curriculum to include titles, descriptions and instructional goals for every course offered by the school. Please contact the Assistant Superintendent of Educational Services, Tinisha Hamberlin, for a copy of the prospectus or call 661-952-1200.

### **BEFORE AND AFTER SCHOOL PROGRAMS**

*EC 8482.6, 8483, 8483.1*

The before school and the After School Education and Safety (ASES) Program serves pupils in kindergarten through grade 8 at all comprehensive schools in the Eastside Union School District. The program is funded by the ASES grant and the Expanded Learning Opportunities Program (ELO-P). ASES pupils are not charged to participate in the program. First priority for enrollment goes to pupils who are identified by the program as homeless at the time they apply or at any time during the school year, and pupils who are identified by the program as being in foster care; second priority in the middle school are pupils who attend daily. The program must inform the parent or caregiver of a pupil of the right of homeless and foster children to receive priority enrollment and how to request priority enrollment. ELO-P services are available for all students.

### **CALIFORNIA HEALTHY YOUTH ACT**

*EC 51930-51939*

The California Healthy Youth Act requires school districts to provide pupils with integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention education at least once in middle school and once in high school. It is intended to ensure that pupils in grades 7-12 are provided with the knowledge and skills necessary to protect them from risks presented by sexually transmitted infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking and to have healthy, positive, and safe relationships and behaviors. It also

promotes pupils' understanding of sexuality as a normal part of human development and their development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family. At Gifford Cole Middle School, seventh graders participate in the Positive Prevention curriculum.

Parents have the right to:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV prevention education.
2. Request in writing that their child not receive comprehensive sexual health or HIV prevention education.
3. Request a copy of Education Codes 51930 through 51939, the California Healthy Youth Act.
4. Be informed whether the comprehensive sexual health or HIV prevention education will be taught by district personnel or outside consultants.
5. Receive notice by mail or another commonly used method of notification no fewer than 14 days before the instruction is delivered if arrangements for the instruction are made after the beginning of the school year.
6. When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV prevention education, be informed of:
  - a. The date of the instruction
  - b. The name of the organization or affiliation of each guest speaker
  - c. The right to receive a copy of EC 51933, 51934, and 51938

### **CAREER COUNSELING & COURSE SELECTION**

*EC 221.5(d)*

Commencing grade 7, school personnel shall assist pupils with course selection or career counseling, exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents are notified so that they may participate in such counseling sessions and decisions.

### **HARM OR DESTRUCTION OF ANIMALS**

*EC 32255 et seq.*

Any pupil with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform their teacher of the objection. Objections must be substantiated by a note from the pupil's parent.

A pupil who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the pupil to develop and agree upon an alternative education project so that the pupil may obtain the knowledge, information, or experience required by the course of study in question.

### **LANGUAGE ACQUISITION PROGRAM**

*EC 306, 310; 5 CCR 11309, 5 CCR 11310; 20 USC 6312*

Language acquisition programs are educational programs designed for English learners to ensure English acquisition occurs as rapidly and effectively as possible, and provides instruction to English learners based on the state-adopted academic content standards, including English language development (ELD) standards.

The District is required to provide a Structured English Immersion (SEI) program option. Your child will be placed in a classroom that uses mostly English for instruction. (See the description below.)

#### **Description of Program Option and Goals for English Learners**

A description of the language acquisition program provided in the Eastside Union School District is listed below.

Structured English Immersion (SEI) Program: A classroom setting for English learners in which nearly all classroom instruction is provided in English but with a curriculum and presentation designed for pupils who are learning English. At minimum, English learners will be provided a program of Structured English Immersion.)

To effectively implement a language acquisition program, the District will allocate enough resources to support the success of the program in attaining its articulated goals. Sufficient resources include, but are not limited to: certificated teachers with the appropriate authorizations; necessary instructional resources; pertinent professional

development for the proposed program; and opportunities for parent and community engagement to support the proposed program goals.

Parents may choose a language acquisition program that best suits their child. Schools in which the parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible.

Parents may provide input regarding language acquisition programs during the development of the Local Control Accountability Plan. (EC Section 52062). If interested in a different program from those listed above, please contact your student’s school to ask about the process.

Although schools have an obligation to serve all EL students, parents of English learners have a right to decline or opt their children out of a school’s EL program or out of particular EL services within an EL program. If parents opt their children out of a school’s EL program or specific EL services, the children retain their status as English learners. The school remains obligated to take the affirmative steps required by Title VI of the Civil Rights Act of 1964 and the appropriate actions required by the Equal Education Opportunity Act of 1974 to provide EL students access to its educational programs .

### **STATEWIDE ASSESSMENTS**

On January 1, 2014, the California Assessment of Student Performance and Progress (CAASPP) System was established. The primary purpose of the CAASPP System is to assist teachers, administrators, pupils, and parents by promoting high-quality teaching and learning through the use of a variety of assessment approaches and item types.

State and federal law require that local educational agencies administer a state test of English Language Proficiency (ELP) to eligible pupils in kindergarten (or year one of a two-year kindergarten program, sometimes referred to as “transitional kindergarten”) through grade twelve (ages 3-21). The English Language Proficiency Assessments for CA (ELPAC) is aligned with California’s 2012 English Language Development Standards. ELPAC is the required state test that must be given to pupils whose primary language is a language other than English. The ELPAC is the test that is used to measure how well pupils in kindergarten through grade twelve understand English when it is not their primary language. The ELPAC took the place of the California English Language Development Test (CELDT). Information from the ELPAC helps your child’s teacher provide support in the right areas. The ELPAC tests four different areas: Listening, Speaking, Reading, and Writing. The Summative ELPAC is given in the spring annually until a pupil is reclassified as Fluent English Proficient. The Initial ELPAC is given only once, upon a pupil’s entry into a California school.

To learn more, go to ELPAC Resources for Parents on the California Department of Education website.

Overview of California’s State Assessments:

| <b>CAASPP: Test Name</b>                      | <b>Content</b>                        | <b>Participants</b>  | <b>Grades</b> | <b>Testing Window</b>  |
|---|---------------------------------------|--|---------------|--|
| Smarter Balanced Assessment Consortium (SBAC) | English Language Arts and Mathematics | All pupils at designated grade levels (unless eligible for CAA or new to the U.S.)                                     | Grades 3–8    | Testing window can begin when 66 percent of instructional year has been completed. |
| California Alternative Assessments (CAA)      | English Language Arts and Mathematics | Pupils with the most significant cognitive disabilities whose active IEP designates the use of an alternate assessment | Grades 3–8    | Testing window can begin when 66 percent of instructional year has been completed. |
| California Science Test (CAST)                | Science                               | All pupils in designated grade levels (unless eligible for CAA Science)  | Grades 5 & 8  | Testing window can begin when 66 percent of instructional year has been completed. |
| California Alternative Assessments (CAA)      | Science                               | Pupils with the most significant cognitive disabilities whose active IEP designates the use of an alternate assessment | Grades 5 & 8  | September 1 through the end of the instructional year.                             |

| <b>ELPAC: Test Name</b>   | <b>Content</b>   | <b>Participants</b>  | <b>Grades</b> | <b>Testing Window</b>   |
|---------------------------|--|--|---------------|---|
| ELPAC Initial             | Listening<br>Speaking<br>Reading<br>Writing  | All pupils whose primary language is not English as indicated on the Home Language Survey  | Grades K–8    | Within 30 calendar days after enrolling in a California public school |
| ELPAC Summative           | Listening<br>Speaking<br>Reading<br>Writing  | Identified English learners until they are re-designated as fluent English proficient  | Grades K –8   | February 1 through May 31   |
| Alternate ELPAC Initial   | Receptive<br>(Listening, Reading)<br>Expressive<br>(Speaking, Writing)   | Students with the most significant cognitive disabilities who are potential ELs whose IEP team has determined that they are eligible for an alternate assessment | Grades K-8    | Within 30 calendar days after enrolling in a California public school |
| Alternate ELPAC Summative | Receptive<br>(Listening, Reading)<br>Expressive<br>(Speaking, Writing)   | Students with the most significant cognitive disabilities who are ELs whose IEP team has determined that they are eligible for an alternate assessment           | Grades K-8    | February 1 through May 31   |
| <b>PFT: Test Name</b>     | <b>Content</b>   | <b>Participants</b>  | <b>Grades</b> | <b>Testing Window</b>   |
| FITNESSGRAM               | Aerobic Capacity;<br>Abdominal Strength and Endurance; Trunk Extensor Strength and Flexibility;<br>Upper Body Strength and Endurance; Flexibility ( <i>as of the 21-22 school year</i> ) | All pupils, regardless of whether they are enrolled in a physical education class or participate in a block schedule   | Grades 5 & 7  | February 1 through May 31   |

## SCHOOL ENROLLMENT

### **RESIDENCY REQUIREMENTS FOR SCHOOL ATTENDANCE**

*EC 48200 et seq.*

A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located.

A pupil may comply with the residency requirements for school attendance in a school district if they meet any of the following criteria:

1. The pupil’s parent resides within district boundaries.
2. The pupil is placed within the boundaries of the school district in a regularly established licensed children’s institution, licensed foster home, or a family home pursuant to a court-ordered commitment or placement.
3. The pupil is a foster or homeless child who remains in their school of origin.
4. The pupil is an emancipated minor who resides within the boundaries of the school district.
5. The pupil lives in the home of a caregiving adult that is located within the boundaries of the school district and the caregiving adult submits an affidavit to that effect.
6. The pupil is confined to a state hospital or other residential health facility located within the boundaries of the school district for treatment of a temporary disability.
7. The pupil is living with a parent at their place of employment within the boundaries of the school district for a minimum of 3 days during the school week.
8. The pupil has been admitted through an interdistrict attendance option.
9. The pupil’s parent was a resident of California who departed the state against their will due to a transfer by a government agency that had custody of the parent, a lawful order from a court or government agency

authorizing their removal, or removal or departure pursuant to the federal Immigration and Nationality Act, and the pupil was enrolled in a California public school immediately before moving out of state as a result of their parent's departure

10. The pupil is a migratory child or a child of a military family who continues to attend their school of origin.

A pupil also complies with residency requirements if their parent, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within California. The school must accept enrollment applications by electronic means, and the parent must provide proof of residence within 10 days after the published arrival date provided on official documentation.

### **INTRADISTRICT CHOICE**

*EC 35160.5(b), EC 46600*

Residents of the school district may apply to other schools that serve the same grade levels within the district. Priority to any district pupil to attend another district school, including a charter school, outside of the pupil's attendance area as follows:

1. Any pupil enrolled in a district school designated by the California Department of Education as "persistently dangerous" (20 USC 7912; 5 CCR 11992)
2. Any pupil who is a victim of a violent crime while on school grounds (20 USC 7912)
3. Special circumstances exist that might be harmful or dangerous to the pupil in the current attendance area. (EC 35160.5)
4. A written statement from a representative of an appropriate state or local agency, including but not limited to law enforcement, or licensed or registered professional.
5. A court order, including a temporary restraining order or injunction
6. Any sibling of a pupil already in attendance in that school
7. Any pupil whose parent is assigned to that school as their primary place of employment.

The District shall not be obligated to provide transportation for pupils who attend school outside their attendance area, unless required by law (Education Code 46600, BP 5116.1).

A pupil granted intradistrict enrollment under any circumstance shall not be required to reapply for readmission each year, but may be subject to displacement due to excessive enrollment; the pupil will continue enrollment through the highest grade offered by the district, if the parent chooses and the pupil maintains good attendance, grades and behavior. A pupil's transfer can be revoked due to chronic or habitual absenteeism or due to behavioral concerns.

Admission to a particular school will not be influenced by a pupil's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented pupils. Any complaints regarding the open enrollment process shall be submitted in accordance with applicable complaint procedures.

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law and Board policy, applications for intradistrict open enrollment shall be submitted between January 1 – January 31 of the school year preceding the school year for which the transfer is requested.

No pupil who currently resides in the attendance area of a school can be displaced by pupils transferring from outside the attendance area. Pupils who are a victim of bullying shall be allowed an intradistrict permit to transfer if space is available at the same grade level. If there is no intradistrict option available, the pupil may seek an interdistrict transfer to another district. "Bullying" is defined under EC 48900(r) and means any severe or pervasive physical or verbal communication made in writing or by means of an electronic act directed toward one or more pupils that results in placing a reasonable person in fear of harm of self or property. It may cause a substantially detrimental effect on the pupil's physical or mental health, or interfere with the pupil's academic performance or their ability to participate in or benefit from the services, activities, or privileges provided by a school, and may be done in person or online. A pupil is determined to be a "victim of an act of bullying" through an investigation of a complaint and the bullying must have been committed by a pupil in the district, and the parent must have filed a written complaint regarding the bullying with the school, district personnel, or a local law enforcement agency.

## **INTERDISTRICT ATTENDANCE**

*EC 46600 et seq.*

The parent of a pupil may seek release from the school district of residence to attend a school in any other school district. School districts may enter into agreements for the interdistrict transfer of one or more pupils for a period of up to five years. The agreement must specify the terms and conditions for granting or denying transfers, and may contain standards of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a pupil will not have to reapply for an interdistrict transfer, and the school board of the district of enrollment must allow the pupil to continue to attend the school in which they are enrolled.

Regardless of whether an agreement exists or a permit is issued, the school district of residence cannot prohibit the transfer of a pupil who is a child of an active military duty parent to a school district of proposed enrollment if that district approves the application for transfer. Nor may a district prohibit an interdistrict permit release when no intradistrict permit options are available to a victim of bullying. "Bullying" is defined under EC 48900(r) and means any severe or pervasive physical or verbal communication made in writing or by means of an electronic act directed toward one or more pupils that results in placing a reasonable person in fear of harm of self or property. It may cause a substantially detrimental effect on the pupil's physical or mental health, or interfere with the pupil's academic performance or their ability to participate in or benefit from the services, activities, or privileges provided by a school – whether in-person or online. A pupil is determined to be a "victim of an act of bullying" through an investigation of a complaint and the bullying must have been committed by a pupil in the district, and the parent must have filed a written complaint regarding the bullying with the school, district personnel, or a local law enforcement agency.

A pupil who has been determined by personnel of either the school district of residence or the district of proposed enrollment to have been the victim of an act of bullying, as defined in EC 48900(r), shall, at the request of the parent, be given priority for interdistrict attendance under any existing agreement or, in the absence of an agreement, be given additional consideration for the creation of an interdistrict attendance agreement.

A pupil may be eligible for provisional enrollment for up to two school months upon providing reasonable evidence that a final decision is pending either with the district of residence, the district of proposed enrollment, or the county board of education.

The application and additional information to request for an interdistrict transfer from the District to attend school in another district is available on the District website at <https://www.eastsideusd.org/domain/169>. A denial of the request by the Eastside Union School District may be appealed to the Los Angeles County Board of Education within 30 calendar days from the date of denial. If you have any questions about the interdistrict process, please call Student Services Department at the district office at 661-952-1224.

## **DISTRICT OF CHOICE**

*EC 48300 et seq.*

Some school districts may choose to become a district of choice. A school board that elects to operate the school district as a district of choice must determine the number of transfers it is willing to accept and shall accept all pupils who apply to transfer until the school district is at maximum capacity. The school district of choice shall make sure that pupils are selected through an unbiased and random process that does not take into consideration the pupil's academic or athletic performance, physical condition, proficiency in English, family income, ethnicity, primary language, literacy, special needs, or any of the individual characteristics listed in EC 200. The parent of a pupil requesting to transfer must submit an application to the school district of choice no later than January 1 of the school year preceding the school year for which the pupil wishes to transfer. The parent shall be notified in writing by February 15 if the pupil was provisionally accepted, rejected, or placed on a waiting list for the next school year. A modified application process is available for children of relocated military personnel.

Districts electing to participate in the District of Choice Program are required to register with the California Department of Education; a list of participating districts for the current school year can be found at <https://www.cde.ca.gov/sp/eo/dc/>. The EUSD is not a District of Choice.

## **INDEPENDENT STUDY**

*EC 48980(g), 51745-51749.6*

Independent study is an alternative to classroom instruction consistent with the District's course of study and is not an alternative curriculum. It is available to all eligible students, and is designed to respond to the student's unique educational needs, interests, aptitudes, and abilities within the confines of law and board policy. Students who participate in independent study have the same course requirements as students in regular classes.

Student participation in independent study must be voluntary; the District may not require or otherwise obligate the student's participation in the program. If a student has an IEP or 504 Plan, enrollment in independent study is a placement decision and is only allowed if the student's IEP or 504 Plan specifically provides for that participation; an IEP or 504 meeting is required prior to any change of placement.

Parents who are interested in the independent study program should contact the school principal.

### **INSTRUCTION FOR PUPILS WITH TEMPORARY DISABILITIES**

*EC 48206.3-48208, 48240*

A pupil with a temporary disability which makes attendance in the regular day classes or the alternative educational program in which the pupil is enrolled impossible or inadvisable may receive individualized instruction provided in the pupil's home for one hour a day, following the same calendar as regular school. Please contact your administrator at your school for further information.

A pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

It is the responsibility of the parent to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less.

A pupil with a temporary disability may remain enrolled in the district of residence or charter school and may attend regular classes when not confined to the hospital setting; the total days of instruction may not exceed the maximum of five days with both school settings and attendance may not be duplicated. If necessary, the district of residence may provide instruction in the home for the days not receiving instruction in the hospital setting, depending upon the temporary doctor's orders. The supervisor of attendance shall ensure that absences from the regular school program are excused until the pupil is able to return to the regular school program.

### **NOTICE OF ALTERNATIVE SCHOOLS**

*EC 58501*

California state law authorizes all school districts to provide for alternative schools. Education Code 58500 defines alternative school as a school or separate class group within a school which is operated in a manner designed to:

- (a) Maximize the opportunity for pupils to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- (b) Recognize that the best learning takes place when the pupil learns because of their desire to learn.
- (c) Maintain a learning situation maximizing pupil self-motivation and encouraging the pupil in their own time to follow their own interests. These interests may be conceived by the pupil totally and independently or may result in whole or in part from a presentation by their teachers of choices of learning projects.
- (d) Maximize the opportunity for teachers, parents, and pupils to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- (e) Maximize the opportunity for the pupils, teachers, and parents to continuously react to the changing world, including, but not limited to, the community in which the school is located.

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the Board of Trustees of the district to establish alternative school programs in each district.

## **VICTIM OF A VIOLENT CRIME**

*20 USC 7912*

A pupil who becomes a victim of a violent crime while in or on the school grounds must be offered the opportunity to transfer to a safe public school within the school district, including a public charter school, within ten calendar days. If there is not another school within the area served by the district, the district is encouraged, but not required, to explore other appropriate options such as an agreement with a neighboring school district to accept pupils through an interdistrict transfer. Primary examples of violent criminal offenses in the Penal Code include attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, and hate crimes. For more information, please contact: Coordinator of Student Services at 661-952-1285.

## **SCHOOL ATTENDANCE**

### **AVOIDING ABSENCES, WRITTEN EXCUSES**

Eastside Union School District urges parents to make sure their children attend school regularly and to schedule medical and other appointments after school or during school holidays. The district also asks that travel or other absences be avoided during the time school is in session. The higher the district's daily attendance rate, the more a pupil will learn. The school calendar is designed to minimize problems for families which plan vacations around traditional holiday periods, and thereby minimize pupil absences.

Within 72 hours following an absence, a pupil is required to provide an excuse (written or verbal) from home when returning to school. Illnesses with a doctor's note or parent note, dental appointments, other doctor's appointments are considered excused absences. Absences without a valid excuse are recorded as unexcused.

### **CHRONIC ABSENTEEISM**

*EC 60901*

A pupil is considered a chronic absentee when the pupil is absent on 10% or more of the school days in one school year, from the date of enrollment to the current date. Chronic absenteeism includes all absences – excused and unexcused – and is an important measure because excessive absences negatively impact academic achievement and pupil engagement.

### **EXCUSED ABSENCES**

*EC 46014, 48205*

In order for an absence to be excused, the reason for such absence must meet the criteria specified under EC 48205 (see full text below).

EC 48205. (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

- (1) Due to his or her illness as verified by a doctor, including an absence for the benefit of the pupil's mental or behavioral health.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
- (4) For the purpose of attending the funeral services or grieving the death of either a member of the pupil's immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five days per incident.
- (5) For the purpose of jury duty in the manner provided for by law.
- (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
- (7) For justifiable personal reasons, including, but not limited to, an attendance or appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent and

approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.

(8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.

(9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.

(10) For the purpose of attending the pupil's naturalization ceremony to become a United States Citizen.

(11) For the purpose of participating in a cultural ceremony or event.

(12) (A) For the purpose of a middle school or high school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence.

(B) (i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one schoolday-long absence per school year.

(ii) A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section 48260.

(13) (A) For any of the purposes described in clauses (i) to (iii), inclusive, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, has died, so long as the absence is not more than three days per incident.

(i) To access services from a victim services organization or agency.

(ii) To access grief support services.

(iii) To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation.

(B) Any absences beyond three days for the reasons described in subparagraph (A) shall be subject to the discretion of the school administrator, or their designee, pursuant to Section 48260.

(14) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

(b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

(c) For purposes of this section, attendance at religious retreats shall not exceed one schoolday per semester.

(d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

(e) For the purpose of this section, the following definitions apply:

(1) A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.

(2) "Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people.

(3) "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

(4) "Victim services organization or agency" has the same meaning as defined in paragraph (7) of subdivision (g) of Section 230.1 of the Labor Code.

Additionally, a pupil, with written parent consent, may be excused from school to participate in religious exercises or to receive moral and religious instruction at their place of worship or other suitable place away from school property designated by the religious group, church, or denomination. The pupil must attend school at least the minimum school day and cannot be excused from school for such purpose on more than four days per school month.

#### **MINIMUM & PUPIL-FREE STAFF DEVELOPMENT DAYS**

*EC 48980(c)*

Eastside Union School District has six schools. Wednesdays are early release days for staff development. The school district has six (6) minimum days. **\*The Eastside Academy does NOT observe any minimum days or early release days.** School times are as follows:

| <b>Schools</b>                  | <b>Regular Days</b>                 | <b>Wednesdays</b> | <b>Minimum Days</b>   |
|---------------------------------|-------------------------------------|-------------------|---|
|                                 | Monday, Tuesday<br>Thursday, Friday |                   | August 8, 9, & 30, 2024<br>September 5 & 6, 2024<br>October 31, 2024<br>November 18 & 19, 2024<br>December 20, 2024<br>January 30 & 31, 2025<br>February 28, 2025<br>April 3 & 4, 2025<br>June 11, 2025 |
| <b>Schools</b>                  | <b>Regular Day</b>                  | <b>Wednesdays</b> | <b>Minimum Days</b>   |
| <b>Cole Middle School</b>       | 8:30am – 3:10pm                     | 8:30am – 1:52pm   | 8:30am – 1:20pm   |
| <b>Columbia Elementary</b>      | 8:00am – 2:35pm                     | 8:00am – 1:20pm   | 8:00am – 12:50pm  |
| <b>Eastside Elementary</b>      | 8:00am – 2:35pm                     | 8:00am – 1:20pm   | 8:00am – 12:50pm  |
| <b>Enterprise Elementary</b>    | 8:30am – 3:05pm                     | 8:30am – 1:50pm   | 8:30am – 1:20pm   |
| <b>Tierra Bonita Elementary</b> | 8:00am – 2:35pm                     | 8:00am – 1:20pm   | 8:00am – 12:50pm  |
| <b>Eastside Academy</b>         | 8:00am – 2:50pm                     | 8:00am – 2:50pm*  | 8:00am – 2:50pm*  |

A calendar for the school year is posted on the following website: [www.eastsideusd.org](http://www.eastsideusd.org). If minimum or pupil-free staff development days are scheduled after the start of the school year, the school will notify parents of affected students as early as possible, but not later than one month prior to the scheduled day.

**TARDINESS**

Children should be encouraged to be prompt as part of developing good habits. They are expected to be at school on time. If a child is late, the child should provide a note from home to the school office. A pupil will be classified as truant if they are tardy or absent for more than a 30-minute period during the school day without a valid excuse on three occasions in one school year.

**TRUANCY DEFINITIONS**

*EC 48260, 48262 and 48263.6*

A pupil is considered truant after three absences or three tardies of more than 30 minutes each time or any combination thereof and the absences or tardies are unexcused. After a pupil has been reported as a truant three or more times in a school year and the district has made a conscientious effort to meet with the family, the pupil is considered a habitual truant. A pupil who is absent from school without a valid excuse for 10% or more of the school days in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that are not allowed by state law.

**TRUANTS: ARRESTS/SCHOOL ATTENDANCE REVIEW BOARDS**

*EC 48263 and 48264*

The school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from the minor’s home and who is absent from school without valid excuse within the county, city or school district. A pupil who is a habitual truant may be referred to a School Attendance Review Board (SARB).

## **DIRECTORY INFORMATION**

*EC 49073*

“Directory Information” includes one or more of the following items: pupil’s name, address, telephone number, e-mail address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent public or private school attended by the pupil. Directory information may include a pupil identification number, user identification, or other personal identifier used by the pupil for purposes of accessing or communicating in electronic systems as long as the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user.

Directory information does not include a pupil’s social security number. Directory information also does not include the pupil’s citizenship status, immigration status, place of birth, or any other information indicating national origin. The District will not release such information without parental consent or a court order.

The District has determined that the following individuals, officials, or organizations may receive directory information: RISE Education, Renaissance, iReady, Aeries, Great Minds, Amplify, McGraw Hill, Saavas, Desired Results Developmental Profile, Life Touch Photography, Beyond SST Online, Attend, and any other educationally related program that requires pupil name or identification to adequately provide its service.

No information may be released to private profit-making entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. Directory information may be disclosed without prior consent from the parent unless the parent submits a written notice to the school to deny access to their pupil’s directory information. Directory information regarding a pupil identified as a homeless child or youth shall not be released unless a parent, or eligible pupil, has provided written consent that directory information may be released.

## **PROTECTION OF PUPIL RIGHTS AMENDMENT**

*20 USC 1232h; EC 51513*

The Protection of Pupil Rights Amendment (PPRA) affords parents of elementary and secondary pupils certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

1. Consent before pupils are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)—
  - a. Political affiliations or beliefs of the pupil or pupil’s parent;
  - b. Mental or psychological problems of the pupil or pupil’s family;
  - c. Sex behavior or attitudes;
  - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
  - e. Critical appraisals of others with whom respondents have close family relationships;
  - f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  - g. Religious practices, affiliations, or beliefs of the pupil or pupil’s parent; or
  - h. Income, other than as required by law to determine program eligibility.
2. Receive notice and an opportunity to opt a pupil out of—
  - a. Any other protected information survey, regardless of funding;
  - b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a pupil, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  - c. Activities involving collection, disclosure, or use of personal information collected from pupils for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from pupils for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, pupils or educational institutions.)
3. Inspect, upon request and before administration or use—

- a. Protected information surveys of pupils and surveys created by a third party;
- b. Instruments used to collect personal information from pupils for any of the above marketing, sales, or other distribution purposes; and
- c. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a pupil who is 18 years old or an emancipated minor under State law.

The Eastside Union School District, in consultation with parents, regarding these rights, as well as arrangements to protect pupil privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The District directly notifies parents of these policies at least annually at the start of each school year and after any substantive changes. The District will also directly notify, such as through U.S. Mail or email, parents of pupil who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt their child out of participation of the specific activity or survey. The District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

1. Collection, disclosure, or use of personal information collected from pupils for marketing, sales, or other distribution.
2. Administration of any protected information survey not funded in whole or in part by ED.
3. Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint online by selecting the PPRA complaint form option at <https://studentprivacy.ed.gov/file-a-complaint> or by mailing the form to: Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue, SW Washington, DC 20202.

## **PUPIL RECORDS**

*EC 49063 and 49069.7, 34 CFR 99.7, 20 USC 1232g*

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm or other means, must be maintained on the history of a pupil's development and educational progress. The District will protect the privacy of such records. Parents/guardians have the right to 1) inspect and review the pupil's educational record maintained by the school, 2) request that a school correct records which they believe to be inaccurate or misleading, and 3) have some control over the disclosure of information from educational records. School officials with legitimate educational interests may access pupil records without parental consent as long as the official needs to review the records in order to fulfill their professional responsibility. Upon request from officials of another school district in which a pupil seeks or intends to enroll, the District shall disclose educational records without parental consent.

Per state and federal law, the District keeps the following *mandatory permanent records* indefinitely: student's legal name, date and place of birth, method of verifying birth date, sex, enter and leave date each school year, subjects taken, marks or number of credits toward graduation, verification of or exemption from required immunization, date of high school graduation or equivalent, and parent's name and address (including the student's address if different, and the annual verification of residency for both the student and the parent). The District also keeps the following *mandatory interim records* until three years after the student leaves or graduates, or their usefulness has ceased: log identifying persons or agencies who have requested or received information from the student record, health information, information on participation in special education programs, language training records, progress slips/notices, parental authorizations/restrictions/waivers, rejoinders to challenged records, results of standardized tests administered within the past three years, expulsion orders, and independent study evaluation and findings. *Permitted records*, which are records that the District has determined important to maintain, may include, but are not limited to, objective school counselor and teacher ratings, standardized test results older than three years, routine discipline data, verified reports of relevant behavior patterns, disciplinary notices, and attendance records.

The District will not collect or solicit social security numbers or the last four digits of social security numbers of pupils or parents, except as required by state or federal law or as required to establish eligibility for a federal benefit

program. Additionally, the District will not collect information or documents regarding the citizenship or immigration status of pupils or their family members, unless required by state or federal law or as required to administer a state or federally supported educational program.

Parents' request to access their pupil's educational records must be submitted in a written form to a school administrator and the school will have five (5) business days from the day of receipt of the request to provide access to the records. Access to pupil records with or without parent consent will be documented in a log maintained in the central file: Aeries. Copies of pupil records are available to parents at no charge.

Any challenge to school records, which include a request to expunge records, must be submitted in writing to school administrator. A parent challenging school records must show that the records are any of the following: 1) inaccurate, 2) an unsubstantiated personal conclusion or inference, 3) a conclusion or inference outside the observer's area of competence, 4) not based on the personal observation of a named person with the time and place of the observation noted, 5) misleading, or 6) in violation of the privacy or other rights of the pupil. Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-4605.

FERPA permits the disclosure of personally identifiable information (PII) from pupils' education records, without consent of the parent or eligible pupil, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. A school may disclose educational records of a pupil without obtaining prior written consent of the parents or eligible pupil for any of the following:

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This could include contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the pupil seeks or intends to enroll, or where the pupil is already enrolled if the disclosure is for purposes related to the pupil's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible pupil's State. Disclosures under this provision may be made, subject to the requirements of § 99.35.
- In connection with financial aid for which the pupil has applied or which the pupil has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the pupil whose records were released, subject to § 99.38. (§ 99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer pupil aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible pupil if the pupil is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a pupil's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the pupil in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the

Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

The Coordinator of Student Services has been designated as the custodian of records at the district level, and at each school site, the principal serves as the custodian of records for students enrolled at their school. The custodian of records is responsible for implementing the policies and procedures related to student records; in particular, they must protect the student and the student's family from invasion of privacy by ensuring only authorized persons may access student records.

### **SOCIAL SECURITY NUMBER**

*EC 49076.7*

Pupils and their parents or guardians should not be asked to provide their social security numbers or the last four digits of the social security numbers unless required by state or federal law. If a form is requesting that you provide a social security number or the last four digits of the social security number for you and/or your child and it does not specify the state or federal law that requires this information, ask the school administrator for more information before providing it.

### **CALIFORNIA COLLEGE GUIDANCE INITIATIVE**

*EC 60900.5*

The California College Guidance Initiative (CCGI) works to smooth the path to college for California students and unify the efforts of the institutions that serve them. Combining data-driven tools and infrastructure with capacity building and student-focused curricula, CCGI helps close the gaps between systems and ensure that all California students, especially those who have been underrepresented in higher education, can move seamlessly from K-12 to college and career. The California Longitudinal Pupil Achievement Data System (CalPADS) is a longitudinal data system used to maintain individual-level data including student demographics, course data, discipline, assessments, staff assignments, and other data for state and federal reporting.

Data from CalPADS:

1. Are shared with the CCGI.
2. Are used to provide students and families with direct access to online tools and resources.
3. Will enable a student to transmit information shared with the CCGI to both of the following:
  - Postsecondary educational institutions for purpose of admissions and academic placement.
  - The Student Aid Commission for purposes of admissions and academic placement.

## **HEALTH & WELLNESS**

### **ASBESTOS MANAGEMENT PLAN**

*40 CFR 763.93*

The Eastside Union School District maintains and annually updates its management plan for asbestos-containing material in school buildings. For a copy of the asbestos management plan, please contact the Administrative Business Services Department at 661-952-1200.

## **CONCUSSION AND HEAD INJURIES**

*EC 49475*

A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district, charter school, or private school that elects to offer an athletic program must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until they are evaluated by, and receives written clearance from, a licensed health care provider. If the licensed health care provider determines the athlete has a concussion or head injury, the athlete shall also complete a graduated return-to-play protocol of no less than 7 days in duration under the supervision of a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent before the athlete initiates practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

## **CONFIDENTIAL MEDICAL SERVICES**

*EC 46010.1*

School authorities may excuse any pupil in grades 7-12 from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parents.

## **CONTROLLED SUBSTANCES: OPIOIDS**

*EC 49476*

School authorities must provide facts regarding the risks and side effects of opioid use each school year to athletes. Parents and pupil athletes must sign acknowledgement of receipt of the document annually before the athlete initiates practice or competition. This requirement does not apply to athletic activity conducted during the regular school day or as part of a physical education course.

## **EMERGENCY TREATMENT FOR ANAPHYLAXIS**

*EC 49414*

EC 49414 requires school districts to provide epinephrine auto-injectors to school nurses or trained personnel who have volunteered and to trained personnel and authorizes them to use epinephrine auto-injectors for any pupil who may be experiencing anaphylaxis, regardless of known history. Anaphylaxis is a severe and potentially life-threatening allergic reaction that can occur after encountering an allergic trigger, such as food, medicine, an insect bite, latex or exercise. Symptoms include narrowing of the airways, rashes or hives, nausea or vomiting, a weak pulse and dizziness.

## **HEALTH SCREENINGS**

*17 CCR 2951; EC 49452.5, EC 49455*

The school nurse or other authorized person conduct annual screenings, as described below. A parent may annually file with the principal a written statement withholding consent to the physical examination of their child. Any such student will be exempt from any physical examination but will be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected.

**Vision.** Each student's vision will be tested during the kindergarten year or upon first enrollment or entry in a District school and subsequently in grades 2, 5, and 8. However, a student who is tested upon first enrollment or entry in the District in grade 4 or 7 will not be required to be tested in the next immediate year. The vision test will include tests for near vision and far vision. Male students will also be tested once for color vision in grade 1 or later and the results of the test shall be entered in the student's health record. Visual defects or any other defects found as a result of the vision examination will be reported to the parent with a request that remedial action be taken to correct or cure the defect.

**Hearing.** Each student will be given a hearing screening test upon first entry into the California public school system; during the TK/kindergarten year or grade 1; and in grades 2, 5, and 8. Each student enrolled in a special education program, other than those enrolled because of a hearing problem, will be given a hearing test when enrolled in the

program and every third year thereafter. Hearing tests may be given more frequently as needed, based on the individualized education program team's evaluation of the student. A follow-up hearing threshold test will be administered to any student who fails to respond to any of the required frequencies in the screening test or is otherwise determined to need further evaluation. Parents of any student who fails the hearing tests will be provided with written notification of the test results. When the test results fall within the levels specified in 17 CCR 2951 or there is evidence of pathology, such as an infection of the outer ear, chronic drainage, or a chronic earache, the notification will include a recommendation that further medical and audiological evaluation be obtained. The dates and results of all screening tests and copies of threshold tests will be included in the student's health records.

### **HEALTH SCREENING (ENTRANCE)**

*HSC 124085, 124100, 124105*

State law requires that the parent of each pupil provide the school within 90 days after entrance to first grade documentary proof that the pupil has received a health screening examination by a doctor within the prior 18 months. Pupils may be excluded up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available for eligible pupils through the Child Health Disabilities Prevention Program.

### **IMMUNIZATIONS**

*EC 49403 and 48216; HSC 120325-120375*

Pupils must be immunized against certain communicable diseases. Pupils are prohibited from attending school unless immunization requirements are met for age and grade. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any pupil whose parents have consented in writing.

Parents of pupils in any school are not allowed to submit a personal beliefs exemption to a currently required vaccine.

Medical exemptions can only be issued through the California Immunization Registry – Medical Exemption (CAIR-ME) website. A medical exemption filed at the school before January 1, 2020 will remain valid until the earliest of:

- When the pupil enrolls in the next grade span (TK/K-6th grade or 7th-12th grade).
- The expiration date on the temporary medical exemption.
- Revocation of the exemption because the issuing physician has been subject to disciplinary action from the physician's licensing entity.

Pupils are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunizations records for these pupils to their schools. The immunization requirements do not prohibit pupils from accessing special education and related services required by their individualized education programs.

A pupil not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against one of the communicable diseases described above (HSC 120325).

Please visit the district webpage: [www.eastsideusd.org](http://www.eastsideusd.org) and/or the <https://www.shotsforschool.org/> website for more information regarding immunizations.

Free- or low-cost immunizations for children are available at local clinics. Please call EUSD offices for information.

Schools are prohibited from disclosing immunization data to any entities other than the Public Health Department or County. The California Legislature, under HSC 120440, has mandated that all schools shall maintain the confidentiality of information of pupil records. All immunization reporting is submitted to the California Department of Public Health via the CDPH website. Immunizations are considered to be a part of a pupil's education record and schools may only share medical records of pupils if it is necessary to meet a legitimate educational interest.

## **HPV IMMUNIZATION**

*EC 48980.4*

Students are advised to adhere to current immunization guidelines, as recommended by the Advisory Committee on Immunization Practices of the federal Centers for Disease Control and Prevention, the American Academy of Pediatrics, and the American Academy of Family Physicians, regarding full human papillomavirus (HPV) immunization before admission or advancement to the 8th grade of any private or public school. HPV vaccination can prevent over 90 percent of cancers caused by HPV. HPV vaccines are very safe, and scientific research shows that the benefits of HPV vaccination far outweigh the potential risks.

## **MEDICAL OR HOSPITAL SERVICE**

*EC 49472*

The School District does not provide or make available medical and hospital services for pupils who are injured in accidents related to school activity or attendance.

## **MEDICATION REGIMEN**

*EC 49423, 49480*

The parent of any pupil taking medication on a regular basis must inform the school nurse or administrator of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the medication on the pupil's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

Any pupil who is required to take, during the regular school day, medication prescribed by a physician may be assisted by the school nurse or other designated school personnel if the school district receives both a written statement of instructions from the physician detailing the name of the medication, method, amount, and time schedules by which such medication is to be taken and a written statement from the parent requesting the school nurse to assist the pupil with prescribed medication as set forth in the physician's statement. Pupil may carry and self-administer auto-injectable epinephrine or inhaled asthma medication if the school district receives both a written statement of instructions from the physician detailing the name of the medication, method, amount, and time schedules by which such medication is to be taken, and confirming that the pupil is able to self-administer the medication, and a written statement from the parent consenting to the self-administration, providing a release for the school nurse or other designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the school district and school personnel from civil liability if the self-administering pupil suffers an adverse reaction as a result of self-administering medication. All requests are to be approved by school nurse prior to use.

1. Talk to your child's doctor about making a medicine schedule so that your child does not have to take medicine while at school.
2. If your child is regularly taking medicine for an ongoing health problem, even if your child only takes the medicine at home, give a written note to the school nurse or other designated school employee at the beginning of each school year. You must list the medicine being taken, the current amount taken, and the name of the doctor who prescribed it (EC 49480).
3. If your child must take medicine while at school, give the school a written note from you and a written note from your child's doctor or other health care provider, who is licensed to practice in California. Provide new, updated notes at the beginning of each school year and whenever there is any change in the medicine, instructions, or doctor (EC 49423).
4. As parent, you must supply the school with all medicine your child must take during the school day. You or another adult must deliver the medicine to school, except medicine your child is authorized to carry and self-administer.
5. All controlled medicine, like Ritalin, must be counted and recorded on a medicine log when delivered to the school. You or another adult who delivered the medicine should verify the count by signing the log.
6. Each medicine your child must be given at school must be in a separate container labeled by a pharmacist licensed in the United States. The container must list your child's name, doctor's name, name of the medicine, and instructions for when to take the medicine and how much to take.

7. Pick up all discontinued, outdated, and/or unused medicine before the end of the school year.
8. Know and follow the medicinal policy of your child's school. The school board may amend or rescind any of their policies for any reason in a public board meeting.

The school district maintains on its internet website informational materials containing:

- Awareness and safety advice, for school staff, pupils, and parents or guardians of pupils, on how to prevent an opioid overdose and any relevant information developed by a County Working Group on Fentanyl Education in Schools.
- Resource information on an entity's application process for the statewide standing order issued by the State Public Health Officer pursuant to Section 1714.22 of the Civil Code.
- Resource information on the district's participation in the Naloxone Distribution Project administered by the State Department of Health Care Services.
- Resource information on the provision of emergency naloxone hydrochloride or another opioid antagonist.

### **MENTAL HEALTH SERVICES**

*EC 49428*

A school of a school district shall notify pupils and parents of pupils no less than twice during the school year on how to initiate access to available pupil mental health services on campus or in the community, or both. In order to initiate access to available pupil mental health services, you may contact the school counselor by calling the school that your child attends or review the parent/pupil handbook, which provides a list of outside providers that you may contact for assistance. Parents may also use the services of [www.CARESOLACE.com](http://www.CARESOLACE.com). CareSolace is a web-based care system that enables our families to connect with mental healthcare providers and resources.

### **ORAL HEALTH ASSESSMENT**

*EC 49452.8*

Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31st of the pupil's first school year.

### **PESTICIDE PRODUCTS**

*EC 17612 and 48980.3*

To obtain a copy of all pesticide products and expected use at the school facility during the year, and to receive notification of individual pesticide applications at the school at least 72 hours before the application, please contact Maintenance and Operations at 661-952-1238. The notice will identify the active ingredient(s) in each pesticide product, the intended date of application an Internet address on pesticide use and reduction, and the Internet address where the school site integrated pest management plan may be found if the school site has posted the plan. California Department of Pesticide Regulation has a website that can assist you with questions on pesticides used, pesticide reduction and other questions you may have. <http://www.cdpr.ca.gov/>

### **SUDDEN CARDIAC ARREST**

*EC 33479 et seq.*

Sudden cardiac arrest (SCA) is when the heart stops beating, suddenly and unexpectedly. When this happens, blood stops flowing to the brain and other vital organs. SCA is not a heart attack; it is a malfunction in the heart's electrical system, causing the victim to collapse. The malfunction is caused by a congenital or genetic defect in the heart's structure. SCA is more likely to occur during exercise or sports activity, so athletes are at greater risk. These symptoms can be unclear and confusing in athletes. Often, people confuse these warning signs with physical exhaustion. If not properly treated within minutes, SCA is fatal in 92 percent of cases. In a school district, charter school, or private school that elects to conduct athletic activities, the athletic director, coach, athletic trainer, or authorized person must remove from participation a pupil who passes out or faints, or who is known to have passed out or fainted, while participating in or immediately following an athletic activity. A pupil who exhibits any of the other symptoms of SCA during an athletic activity may be removed from participation if the athletic trainer or authorized person reasonably believes that the symptoms are cardiac related. A pupil who is removed from play may not return to that activity until the pupil is evaluated by, and receives written clearance from, a physician or surgeon.

On a yearly basis, an acknowledgement of receipt and review of information regarding SCA must be signed and returned by the pupil and the pupil's parent before a pupil participates in specific types of athletic activities which generally does not apply to those conducted during the regular school day or as part of a physical education course.

### **SUICIDE PREVENTION AWARENESS AND TRAINING**

*EC 215, 234.6*

Pupil suicide rates are of concern to all members of the school community. One child, age 12 and older, dies by suicide every five days in California. Local Districts were required by California law to provide suicide prevention education, according to age-appropriate and sensitive local policies, for grades 7 to 12. Legislators have determined that training in mental health and coordination around improved services is extended to our elementary pupils. A shared goal by all staff educators is to keep a safe place to learn, free from harm to any of our pupils.

Pupil suicide prevention education shall specifically address the needs of high-risk groups. Protocols established in policy are to ensure proper coordination and consultation with county mental health plans for referrals or related services. Staff is trained on suicide awareness and prevention for all grade levels kindergarten through eighth grade.

Administrative Regulation 5121.52 – Suicide Prevention:

<https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030646&revid=47n3vynRt6fuXe3Wchplussfg==&PG=6&st=suicide&mt=Any>

### **TOBACCO-FREE CAMPUS**

*BPC 22950.5; HSC 104420, 104495, 104559*

The use of tobacco and nicotine products is prohibited on school or district grounds, buildings, and vehicles, and within 250 feet of a youth sports event. Tobacco product includes, but is not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, or an electronic device (*e.g.*, electronic cigarette, cigar, pipe, or hookah) that delivers nicotine or other vaporized liquids.

### **DANGERS OF SYNTHETIC DRUGS**

*EC 48985.5*

Fentanyl is a major contributor to drug overdoses in California, including among youth. Fentanyl is an extremely potent and dangerous synthetic opioid, like heroin and morphine, and is laboratory engineered to be about 50 times stronger than heroin. This means even small amounts can lead to a fatal overdose. Fentanyl is powerful and difficult to detect.

People who make or sell drugs sometimes add small amounts of fentanyl to other substances in ways that are not noticeable to the user. Fentanyl is now commonly present in counterfeit pills sold on the internet posing as prescription drugs, such as Oxycodone, Xanax, Percocet, Vicodin, and Adderall. Fake prescription pills are easily accessible and often sold on social media and e-commerce platforms, making them available to anyone with a smartphone, including minors. Pills obtained through social media are especially dangerous and the Drug Enforcement Agency reports that 7 out of every 10 pills confiscated contain enough fentanyl to kill.

Fentanyl misuse may result in an intense, short-term high; temporary feelings of euphoria; slowed respiration and reduced blood pressure, nausea, fainting; seizures or death. Methamphetamine misuse may result in agitation; increased heart rate and blood pressure; increased respiration and body temperature; anxiety and paranoia. High doses can cause convulsions, cardiovascular collapse, stroke, or death. Overdose may result in stupor, changes in papillary size, cold and clammy skin, cyanosis, coma, and respiratory failure leading to death. The presence of a triad of symptoms such as coma, pinpoint pupils, and respiratory depression are strongly suggestive of opioid poisoning.

With a fentanyl-poisoned drug supply, avoiding drug use is the surest way to prevent an overdose. The only safe medications are ones that come from licensed and accredited medical professionals. For more information, review the [Facts About Fentanyl](#) on the California Department of Public Health website.

## **TYPE 1 DIABETES**

### *EC 49452.6*

Type 1 diabetes in children is an autoimmune disease that can be fatal if untreated, and the guidance provided in this information sheet is intended to raise awareness about this disease. Contact the school nurse or administrator, or the student's health care provider if you have questions.

### Description

*Type 1 diabetes usually develops in children and young adults but can occur at any age*

- According to the U.S. Centers for Disease Control and Prevention (CDC), cases of type 1 diabetes in youth increased nationally from 187,000 in 2018 to 244,000 in 2019, representing an increase of 25 per 10,000 youths to 35 per 10,000 youths, respectively.
- The peak age of diagnosis of type 1 diabetes is 13-14 years, but diagnosis can also occur much earlier or later in life.

### *Type 1 diabetes affects insulin production*

- As a normal function, the body turns the carbohydrates in food into glucose (blood sugar), the basic fuel for the body's cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood into the cells.
- In type 1 diabetes, the body's pancreas stops making insulin, and blood glucose levels rise.
- Over time, glucose can reach dangerously high levels in the blood, which is called hyperglycemia.
- Untreated hyperglycemia can result in diabetic ketoacidosis (DKA), which is a life-threatening complication of diabetes.

### Risk Factors Associated with Type 1 Diabetes

It is recommended that students displaying warning signs associated with type 1 diabetes, which are described below, should be screened (tested) for the disease by their health care provider.

### *Risk Factors*

Researchers do not completely understand why some people develop type 1 diabetes and others do not; however, having a family history of type 1 diabetes can increase the likelihood of developing type 1 diabetes. Other factors may play a role in developing type 1 diabetes, including environmental triggers such as viruses. Type 1 diabetes is not caused by diet or lifestyle choices.

### Warning Signs and Symptoms Associated with Type 1 Diabetes and Diabetic Ketoacidosis

Warning signs and symptoms of type 1 diabetes in children develop quickly, in a few weeks or months, and can be severe. If your child displays the warning signs below, contact your child's primary health care provider or pediatrician for a consultation to determine if screening your child for type 1 diabetes is appropriate:

- Increased thirst
- Increased urination, including bed-wetting after toilet training
- Increased hunger, even after eating
- Unexplained weight loss
- Feeling very tired
- Blurred vision
- Very dry skin
- Slow healing of sores or cuts
- Moodiness, restlessness, irritability, or behavior changes

DKA is a complication of untreated type 1 diabetes. DKA is a medical emergency. Symptoms include:

- Fruity breath
- Dry/flushed skin
- Nausea
- Vomiting
- Stomach pains
- Trouble breathing

- Confusion

#### *Types of Diabetes Screening Tests That Are Available*

- Glycated hemoglobin (A1C) test. A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- Random (non-fasting) blood sugar test. A blood sample is taken any time without fasting. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes.
- Fasting blood sugar test. A blood sample is taken after an overnight fast. A level of 126 mg/dL or higher on two separate tests indicates diabetes.
- Oral glucose tolerance test. A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

#### *Type 1 Diabetes Treatments*

There are no known ways to prevent type 1 diabetes. Once type 1 diabetes develops, medication is the only treatment. If your child is diagnosed with type 1 diabetes, their health care provider will be able to help develop a treatment plan. Your child's health care provider may refer your child to an endocrinologist, a doctor specializing in the endocrine system and its disorders, such as diabetes.

### **TYPE 2 DIABETES**

#### *EC 49452.7*

Type 2 diabetes in children is a preventable/treatable disease. The following information is intended to raise awareness about this disease. Contact the school nurse or administrator, or the student's health care provider if you have questions.

#### Type 2 diabetes is the most common form of diabetes in adults.

- Until a few years ago, type 2 diabetes was rare in children but it is becoming more common especially for overweight teens.
- According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime.

#### Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.

- The body turns the carbohydrates in food into glucose, the basic fuel for the body's cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood to the cells.
- In type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise.
- Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia.
- Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

#### Risk Factors

It is recommended that students displaying or possibly experiencing the risk factors and warning signs associated with type 2 diabetes be screened (tested) for the disease.

Researchers do not completely understand why some people develop type 2 diabetes and others do not; however, the following risk factors are associated with an increased risk of type 2 diabetes in children:

- Being overweight. The single greatest risk factor for type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.
- Family history of diabetes. Many affected children have at least one parent with diabetes or have a significant family history of the disease.
- Inactivity. Being inactive further reduces the body's ability to respond to insulin.
- Specific racial/ethnic groups. Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type 2 diabetes.
- Puberty. Young people in puberty are more likely to develop type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

### Warning Signs and Symptoms

Warning signs and symptoms of type 2 diabetes in children develop slowly and initially there may be no symptoms. However, not everyone with insulin resistance or type 2 diabetes develops these warning signs and not everyone who has these symptoms necessarily has type 2 diabetes.

- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular periods, no periods, and/or excess facial and body hair growth in girls
- High blood pressure or abnormal blood fat levels

### Prevention Methods and Treatments

Healthy lifestyle choices can help prevent and treat type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal weight and normal blood glucose levels.

- Eat healthy foods. Make wise food choices. Eat foods low in fat and calories.
- Get more physical activity. Increase physical activity to at least 60 minutes every day.
- Take medication. If diet and exercise are not enough to control the disease, it may be necessary to treat type 2 diabetes with medication.

The first step in treating type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to type 2 diabetes).

### Types of Diabetes Screening Tests That Are Available

- Glycated hemoglobin (A1C) test. A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- Random (non-fasting) blood sugar test. A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.
- Fasting blood sugar test. A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.
- Oral glucose tolerance test. A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

## **BEHAVIOR EXPECTATIONS & DISCIPLINE**

### **SCHOOL RULES**

#### *EC 35291*

Each school within the Eastside Union School District will distribute a pupil handbook that will outline the rules of the district and school pertaining to pupil discipline. A summary of suspension and expulsion are provided in this manual.

#### Duties of Pupils

Pupils shall conform to school regulations, obey all directions, be diligent in study and respectful to teachers and others in authority, and refrain from the use of profane and vulgar language. (5 CCR 300)

Although the District is implementing Positive Behavior Interventions and Supports (PBIS), the California Education Code clearly defines instances when a pupil may or shall be suspended or recommended for expulsion.

## Conduct

Pupils are accountable for their conduct at all times while participating in school related activities including on the way to and from school. School site's discipline plans are reviewed with the pupil and parents at the beginning of the school year. Teachers/Administrators work with pupils regarding pupil behavior. Disciplinary action may include parent conferences, pupil behavior contracts and other strategies to improve behavior. Suspension or expulsion may result when conduct does not improve or for a severe first offense.

## **ACCEPTABLE USE OF TECHNOLOGY**

*20 USC 7131; 40 CFR 54.520*

One of the adopted goals of the Eastside Union School District is to assist in advancing the use of technology to enhance pupil learning. Access to Eastside Union School District technology is a privilege, not a right, and pupils enrolled in District programs or activities must follow District guidelines and procedures regarding acceptable use of technology. All Eastside Union School District pupils and their parents/guardians shall sign the Acceptable Use of Technology Agreement prior to using District technological resources. The Eastside Union School District shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet, and pupils shall also take responsibility not to initiate access to inappropriate or harmful matter while using District technology. Violation of this policy may result in disciplinary action and the loss of the privilege to use the technology and/or civil or criminal liability.

## **ELECTRONIC SIGNALING DEVICES**

*EC 48901.5 and 48901.7*

The use of any electronic signaling device (*e.g.*, smartphone) by a pupil in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. However, no pupil will be prohibited from possessing or using a smartphone or other electronic signaling device under the following circumstances:

1. In case of an emergency, or in response to a perceived threat of danger.
2. When a teacher or administrator grants permission to the pupil, subject to any reasonable limitation imposed by that teacher or administrator.
3. When a licensed physician and surgeon determines it is necessary for the pupil's health or well-being.
4. When it is required in a pupil's IEP or Section 504 plan.

Any pupil in violation shall be subject to appropriate disciplinary action.

## **ELECTRONIC NICOTINE DELIVERY SYSTEMS (E-CIGARETTES)**

*BPC 22950.5; EC 48900(j), 48901*

The School District prohibits the use of electronic nicotine delivery systems (ENDS) such as e-cigarettes, hookah pens, cigarillos, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products on all district property and in district vehicles at all times. ENDS are often made to look like cigarettes, cigars and pipes, but can also be made to look like everyday items such as pens, asthma inhalers and beverage containers. These devices are not limited to vaporizing nicotine; they can be used to vaporize other drugs such as marijuana, cocaine, and heroin. Pupils using, in possession of, or offering, arranging or negotiating to sell ENDS can be subject to disciplinary action, particularly because ENDS are considered drug paraphernalia, as defined by HSC 11014.5.

## **JURISDICTION**

*EC 44807*

Teaching staff shall hold pupils to strict account for their conduct on the way to and from school, on the playgrounds, or during recess.

## **PROPERTY DAMAGE**

*EC 48904*

Parents or guardians may be held financially liable if their child willfully damages school property or fails to return school property loaned to the child. The school may further withhold the grades, diploma, and transcript of the pupil until restitution is paid.

## **PUPIL SEARCHES**

The 4th Amendment of the United States Constitution protects individuals from unlawful searches. However, the law allows school officials to conduct searches of pupils under certain limited circumstances.

If a pupil has engaged in conduct that causes an administrator to have reasonable suspicion that the pupil has committed, or is about to commit, a crime or has violated statutory laws or school rules, the administrator may conduct a search of that pupil. The administrator must:

- Articulate the reason for the suspicion and the facts and/or circumstances surrounding a specific incident.
- Reasonably connect the pupil to a specific incident, crime or rule or statute violation.
- Rely on recent, credible information from personal knowledge and/or other eyewitnesses.
- Ensure that a search based on reasonable suspicion is not excessively intrusive in consideration of the pupil's age and gender and the nature of the offense. When conducting a pupil search based on reasonable suspicion, school officials must adhere to the following practices:
  - Conduct the search only if there are clear and specific reasons for suspicion and there are facts that connect the pupil to a specific incident of misconduct.
  - Jackets, purses, pockets, backpacks, bags and containers in the pupil's possession may be searched to the extent reasonably necessary jackets.
  - Under no conditions may a body or strip search be conducted.
  - Only school officials of the same sex as the pupil being searched may conduct the search.
  - Searches based on reasonable suspicion must be conducted in a private area where the search will not be visible to other pupils or staff (except for a school administrator or designee witness, also of the same sex).

## **SUSPENSION AND EXPULSION**

*EC 48900 et seq.*

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of the pupil's own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

- (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts enumerated in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- (3) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2029.
- (4) Except as provided in Section 48910, commencing July 1, 2024, a pupil enrolled in any of grades 9 to 12, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2029.
- (5) (A) A certificated or classified employee may refer a pupil to school administrators for appropriate and timely in-school interventions or supports from the list of other means of correction specified in subdivision (b) of Section 48900.5 for any of the acts enumerated in paragraph (1).
- (B) A school administrator shall, within five business days, document the actions taken pursuant to subparagraph (A) and place that documentation in the pupil's record to be available for access, to the extent permissible under state and federal law, pursuant to Section 49069.7. The school administrator shall, by the end of the fifth business day, also inform the referring certificated or classified employee, verbally or in writing, what actions were taken and, if none, the rationale used for not providing any appropriate or timely in-school interventions or supports.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
- (1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
- (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- (B) Causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health.
- (C) Causing a reasonable pupil to experience substantial interference with the pupil's academic performance.
- (D) Causing a reasonable pupil to experience substantial interference with the pupil's ability to participate in or benefit from the services, activities, or privileges provided by a school.
- (2) (A) "Electronic act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- (i) A message, text, sound, video, or image.
- (ii) A post on a social network Internet Web site, including, but not limited to:
- (I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
- (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(iii)(I) An act of cyber sexual bullying.

(II) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(III) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil’s exceptional needs.

(s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:

(1) While on school grounds.

(2) While going to or coming from school.

(3) During the lunch period whether on or off the campus.

(4) During, or while going to or coming from, a school-sponsored activity.

(t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision

(u) As used in this section, “school property” includes, but is not limited to, electronic files and databases.

(v) For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil’s specific misbehavior as specified in Section 48900.5.

(w) (1) A suspension or expulsion shall not be imposed against a pupil based solely on the fact that they are truant, tardy, or otherwise absent from school activities.

(2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

#### EC 48900.5 — Limitations on Imposing Suspension

Suspension, including supervised suspension as described in Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. A school district may document the other means of correction used and place that documentation in the pupil’s record, which may be accessed pursuant to Section 49069.7.

However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended, subject to Section 1415 of Title 20 of the United States Code, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil’s presence causes a danger to persons.

#### EC 48900.2 — Sexual Harassment

In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5. For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

#### EC 48900.3 — Hate Violence

In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

#### EC 48900.4 — Harassment, Threats or Intimidation

In addition to the grounds specified in Sections 48900 and 48900.2, the pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

#### EC 48900.7 — Terroristic Threats

(a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3 and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.

(b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on the face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

#### EC 48915 — Circumstances for Recommending Expulsion

(a) (1) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

- (A) Causing serious physical injury to another person, except in self-defense.
- (B) Possession of a knife or other dangerous object of no reasonable use to the pupil.
- (C) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following:
  - (i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
  - (ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
- (D) Robbery or extortion.
- (E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(2) If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the pupil does not lose instruction time.

(b) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the Board of Trustees may order a pupil expelled upon finding that the pupil committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel shall be based on a finding of one or both of the following:

(1) Other means of correction are not feasible or have repeatedly failed to bring out proper conduct.

(2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(c) The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at a school or at a school activity off school grounds:

(1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if possessing an imitation firearm, as defined in subdivision (m) of Section 48900, in not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (e), may be imposed.

(2) Brandishing a knife at another person.

(3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

(4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

(d) The Board of Trustees shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

(1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.

(2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.

(3) Is not housed at the school site attended by the pupil at the time of suspension.

(e) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the Board of Trustees may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

(1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.

(2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(f) The Board of Trustees shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study which meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to the pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.

(g) As used in the section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

(h) As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code.

## SCHOOL SAFETY

### **BULLYING**

*EC 234.4 and 32283.5*

The Eastside Union School District is committed to the prohibition of discrimination, harassment, intimidation, and bullying. Annual training will be provided to all staff who work with pupils, to prevent bullying and cyberbullying. You may find a list of education web pages describing the staff training at: <https://www.cde.ca.gov/ls/ss/se/bullyres.asp>. If you or your child should experience any bullying on campus, at school events, or on the way to or from school, please contact your school counselor who is available to assist you in identifying and stopping this behavior.

### **CHILD ABUSE AND NEGLECT REPORTING**

*PC 11164 et seq.*

The Eastside Union School District is committed to protecting all pupils in its care. All employees of the District are considered mandated reporters, required by law to report cases of child abuse and neglect whenever there is reasonable suspicion abuse or neglect has occurred. District employees may not investigate to confirm a suspicion.

All complaints must be filed through a formal report, over the telephone, in person, or in writing, with an appropriate local law enforcement agency (*i.e.*, Police or Sheriff's Department, County Probation Department, or County Welfare Department/County Child Protective Services). Both the name of the person filing the complaint and the report itself are confidential and cannot be disclosed except to authorized agencies.

Parents of pupils also have a right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. Complaints may be filed with the local law enforcement agency; you may also notify the District of an incident by contacting Jamielly Kreger, Coordinator of Student Services at 661-952-1285.

Child abuse does not include an injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:

1. To stop a disturbance threatening physical injury to people or damage to property;
2. For purposes of self-defense;
3. To obtain possession of weapons or other dangerous objects within control of a pupil;
4. To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, and maintain proper and appropriate conditions conducive to learning.

### **CIVILITY ON SCHOOL GROUNDS**

*CC 1708.9; EC 32210*

Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500).

It is unlawful for any person, except a parent acting toward their minor child, to intentionally or to attempt to injure, intimidate, interfere by force, threat of force, physical obstruction, or nonviolent physical obstruction with any person attempting to enter or exit any public or private school grounds.

### **DANGEROUS OBJECTS**

Often, pupils like to bring objects, such as a collector's item, to school to show their friends. Examples of these objects include, but are not limited to, laser pointers, mini baseball bats, martial arts weapons (*e.g.*, nunchaku, throwing stars), or any other sharp, pointy objects. Pupils should refrain from bringing objects that have the potential to inflict serious bodily injury to others.

### **DISASTER PREPAREDNESS EDUCATIONAL MATERIALS**

*EC 32282.5*

Natural and human-caused disasters affect everyone which is why it is important to be prepared at home, at school, at work, and in the community. Please visit California Department of Education's webpage to review safety educational materials to help families prepare for different types of emergencies and crisis:

<https://www.cde.ca.gov/re/di/dr/>.

## **ELECTRONIC LISTENING OR RECORDING DEVICE**

### *EC 51512*

The use by any person, including a pupil, of any electronic listening or recording device in any classroom – whether during in-person instruction or via distance learning – without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. Any person, other than the pupil, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation shall be subject to appropriate disciplinary action.

## **EMPLOYEE INTERACTION WITH STUDENTS/CODE OF ETHICS**

### *EC 44050*

The Board of Trustees expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employee conduct should enhance the integrity of the district, advance the goals of the district's educational programs, and contribute to a positive school climate.

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting district or school operations by loud or unreasonable noise or other action
8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace or at a school-sponsored activity
9. Dishonesty with students, parents/guardians, staff, or members of the public, including, but not limited to, falsification of information in employment records or other school records
10. Divulging confidential information about students, district employees, or district operations to persons not authorized to receive the information
11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities
12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity
13. Causing damage to or engaging in theft of property belonging to students, staff, or the district
14. Wearing inappropriate attire

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

## **GUN-FREE SCHOOL ZONE ACT**

*PC 626.9, 30310*

California prohibits any person from possessing a firearm on, or within 1,000 feet from, the grounds of a public or private school, unless it is with the written permission of Assistant Superintendent of Administrative Services. This does not apply to law enforcement officers, any active or honorably retired peace officers, members of the military forces of California or the United States, or armored vehicle guards engaged in the performance of, or acting in the scope of their duties. A person may also be in possession of a firearm on school grounds if the firearm is unloaded and in a locked container or within the locked trunk of a motor vehicle. A violation of this law is punishable by imprisonment in a county jail for up to six months, a fine of up to \$1,000, or both imprisonment and fine.

## **SAFE STORAGE OF FIREARMS**

*EC 48986, 49392*

There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

Parents are responsible for keeping firearms out of the hands of children and should evaluate their own personal practices to assure that every member in the family is in compliance with California law. (*Note: A county or city may have additional restrictions regarding the safe storage of firearms.*)

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.

(*Note: The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.*)

- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent/guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor never actually accesses the firearm.
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.
- Finally, a parent may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.

The easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

## **SCHOOL BUS SAFETY**

*EC 39831.5*

All pupils in pre-kindergarten, kindergarten, and grades 1 to 6, shall receive written information on school bus safety (*i.e.*, a list of school bus stops near each pupil's home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops). Prior to departure on a school activity trip, all pupils riding on a school bus or school activity bus shall receive safety instruction that includes, but is not limited to, location of emergency exits, school bus rules and location and use of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit.

## **SCHOOL SAFETY PLAN**

*EC 32280 et seq.*

Each Eastside Union School District school site has a Comprehensive School Safety Plan, which includes a disaster preparedness plan and emergency procedures. Copies are available to read at each school office and to view on our website. Fire, Earthquake, evacuation, and emergency drills are held periodically at each school.

## **SEX OFFENDERS/MEGAN'S LAW**

*PC 290 et seq.*

Information about registered sex offenders in California can be found on the California Department of Justice's website, <http://meganslaw.ca.gov/>. The website also provides information on [how to protect yourself and your family](#), [facts about sex offenders](#), [frequently asked questions](#), and [sex offender registration requirements in California](#).

## **SURVEILLANCE SYSTEM**

*EC 32280, 49061*

In order to maximize the safety of students, staff, and school property, surveillance cameras are installed in specified areas on all school campuses. The cameras are not placed in areas where students, staff, or community members have a reasonable expectation of privacy (such as bathrooms, locker rooms, or private offices). Rather, cameras are placed in common areas such as hallways, stairwells, playgrounds, parking lots, and entry ways. Any audio capability on the District's surveillance system is disabled so that sounds are not recorded.

These cameras are not actively monitored by District personnel, but are recorded and saved. Recorded events from the surveillance system may be downloaded and used as evidence in specific student discipline matters and may also be referred to law enforcement when appropriate. To the extent that any images from the District's surveillance system create a student or personnel record, the Superintendent or designee will ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

## **WALKING OR RIDING A BIKE TO SCHOOL**

*VC 21212*

Parents of children who walk or ride their bicycles to school are asked to go over a safe route to school with their children. Walkers may not take shortcuts through private property. All children are expected to display good behavior on the way to and from school.

No person under 18 years of age may operate a bicycle, non-motorized scooter, skateboard or wear in-line or roller skates, nor ride as a passenger upon a bicycle, non-motorized scooter, or skateboard upon a street, bikeway, or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards.

Skateboards, scooters and related items are not allowed to be used on school grounds at any time.

## ACKNOWLEDGEMENT OF RECEIPT AND REVIEW

### *2024-2025 Annual Notification*

Dear Parent/Guardian:

The Eastside Union School District is required to annually notify pupils, parents, and guardians of their rights and responsibilities in accordance with Education Code 48980.

If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact an administrator at your child's school. The administrator will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

Pursuant to Education Code 48982, parents/guardians must acknowledge that they have been informed of their rights. Please complete this "Acknowledgement of Receipt and Review" form and return it to your child's school if you have not already done so through the data confirmation process at the beginning of the school year.

Student Name: \_\_\_\_\_ Grade: \_\_\_\_\_ School: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_ Relationship to Student: \_\_\_\_\_

Home Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Your signature below does not necessarily indicate that consent to participate in any particular program or activity has been given or withheld; it only verifies that you have received and reviewed the contents of the Annual Notification.

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date